

**RECORDS OF THE DEPARTMENT OF STATE  
RELATING TO POLITICAL RELATIONS  
BETWEEN THE UNITED STATES AND  
BRITISH AFRICA, 1910-29**

Roll 1

**LISTS OF DOCUMENTS**

711.48a12/Anti-War/11 - 711.48v2/16

**DOCUMENTS**

711.--POLITICAL RELATIONS

[711.48a British South Africa; 711.48v2/16 Zanzibar.]

711.48a12 Anti-War/11 - 711.48v2/16



**THE NATIONAL ARCHIVES  
NATIONAL ARCHIVES AND RECORDS SERVICE  
GENERAL SERVICES ADMINISTRATION**

Washington: 1966

## LIST OF PAPERS

Negotiations between United States and South Africa for a Treaty  
for the renunciation of War.

Subject:

File No.  
711.48812  
Anti War

GOVERNMENT PRINTING OFFICE 1-207

1928

SUB No.	FROM—	DATE	TO—	SUB No.	PURPORT
X 1		May 21,	Great Britain Tel.130 4pm	NOTE	SEE: 711.4112 Anti War/87. Invitation to be sent to South Africa to become a party to treaty. Instructs to address note to British Foreign Minister. Quotes text of. South Africa is only Govt. which has not replied to our invitation. Ascertain whether answer can be expected shortly.
X 2		Jun 14	Great Britain Tel.150 4pm 1 pm		
X 3	Great Britain (Atherton) Tel.144	Jun 15 noon	U Noted: 711.4112 Anti War		South Africa accepts invitation to participate in treaty.
X 4	Great Britain (Atherton) #2853	Jun 19		NOTE	SEE 711.4112 Anti War/133 regarding reply of South Africa to invitation to participate in treaty. South Africa's reply to Secretary's note of June 23rd.
X 5	Great Britain (Atherton) Tel. #165-2pm	Jul.18	WE		
X 6	Great Britain (Atherton) Tel. #168-11am	Jul.18		NOTE	SEE 711.4112 Anti War/154 regarding South Africa's reply to note of June 23.
X 7	Great Britain (Atherton) #2900	Jul.18		NOTE	SEE 711.4112 Anti War/159 regarding reply of South Africa to Secretary's note of June 23rd.
X 8	Great Britain Tel. #22-5pm (Houghton)	1929 Jan.25	S		Advises that there is some apprehension regarding possible delay in South African ratification. Instructs to inform Dept. of precise nature of "South Africa's favorable action" and basis of information. Above telegram. High Commissioner for South Africa has been instructed by his Govt. to approach British Govt. with a request that the King ratify Treaty on behalf of South African Government. Interview between Ambassador Houghton and South African High Commissioner regarding adherence of ratification of South Africa.
X 9		Jan.31	Great Britain Tel. #23-1pm		
X 10	Great Britain Tel. #26-noon (Houghton)	Feb.1	S		
X 11	Great Britain (Atherton) #-	Feb.26			



# LIST OF PAPERS.

Subject: Treaties of Commerce & Navigation - U.S. & Zanzibar.

File No.

111.48V2

SUB No.	FROM—	1915	TO—	SUB No.	PURPORT.
X -	Peace Mission, U.S. TEL. 2715, 5pm	June 22.	c-a		Treaty of 1833 with U.S. & Zanzibar. Brit. Govt. asks U.S. to agree to cancelation of article six of- as it created some inconveniences in Zanzibar. Memo. submitted by Brit. F.O. stated in 1913 a tax was imposed on rental values in Zanzibar to defray cost cleaning & lighting streets. U.S. claimed Americans exempted from this tax by above treaty in 1914. Note to 848v.111 & 848v.512.
X 1		1917 Jan. 23.		NOTE	SEE 848v.111/1 & 2 for despatches from Mombasa #46 Jan. 23 & #106 Oct. 30, 1917 re Zanzibar Govt. Decree in apparent conflict with Article 2 of Treaty of 1833, & restrictions on certain exports from Zanzibar belonging to an Am. firm.
X 2		1914 Apr. 28. 1919		NOTE	SEE 848v.512/1 for despatch from Zanzibar #40 re Treaty of 1833 between U.S. & Zanzibar. Asks if article 6 of- is in force. Consulate refused to pay tax when requested.
X 3		June 29		NOTE	SEE 763.72119/5462 for Tel from Peace Mission U.S. #2875 9pm re: Zanzibar question. Sperling of Brit. F.O. writes to Beer expressing hope U.S. will meet Brit. re-Desires information as to whether any objections to giving assurances to Brit. of favorable consideration of -.
X 4	Peace Mission U.S. #-	June 21	c-a		Treaty between the U.S. and Muscat Sept. 1833. Transmits copy of note from British Delegation of June 21 and memo from British F.O. on which Commission's cable was based.
X 5	British Embassy #560	July 29			Treaty relations between the U.S. and the British Protectorate of Zanzibar. Information re- Expresses the hope that U.S. Govt will agree to negotiate the cancellation of Art 6 of
X 6	Brit. Emb. #561	July 29	SO		Modifying of Treaty of 1833 between the U.S. and Muscat. Informs matter was brought up by the Brit. Representatives in Paris in connection with Am. proposals for a financial protectorate in Liberia.
		Aug. 12	Brit. Embassy. DI	5	Treaty between U.S. and Muscat of 1833. Informs that reservation made by the Am. Con. at Zanzibar in 1914 with respect to the payment of taxes by Am. citizens was unauthorized by U.S. Govt.

See page 2



Subject: Treaties of Commerce and Navigation-U.S. and Zanzibar.

File No.

711.4812

SUB No.	FROM—	DATE 1919	TO—	SUB No.	PURPORT.
		Aug. 12	British Embassy. #-	5	Abrogation of art. 6 of the treaty concluded between the U.S. and Muscat of 1833. Informs that reservation made by the Am. Con at Zanzibar in 1914 with respect to the payment of taxes by Am. citizens was unauthorized by U.S. Govt.
X 7	Brit. Emb. #692	Sept. 24	SO		Article VI of Treaty between U.S. and Muscat of Sept. 31 1883. Inquires whether U.S. Govt would object to use of note of 12th of Aug. in Zanzibar Courts as evidence of interpretation of the Treaty by U. S. Govt. If in event of objection would U.S. Govt be willing instruct Con. Zanzibar give evidence to effect stated in note.
X 8	British Emb. #694	Sept. 25	SO		Revision of Treaty of 1833 with Zanzibar. Makes further representations re. Brit. Govt does not desire to complain of action by Am. Consul. Requests U.S. Govt give further consideration to --.
		Oct. 14	Brit. Emb. # SO	7	Article VI of the Treaty between U.S. & Muscat. Dept. informs that it perceives no objection to use of note of Aug. 12 in manner & for purpose indicated in event that occasion the before should arise.
		Mar. 3	Brit. Emb. # - SO	8	Treaty of 1833 between U.S. & Zanzibar. Dept. will consider any proposals looking to revision of --.
X 9	British Embassy #52	1929 Jan. 31	td		Revision of articles 2, 3 and 9 of Treaty of 1833 between U. S. and Zanzibar. British Government has been considering, --. Review of previous correspondence on subject. Proposal for modification of above mentioned articles. Requests U. S. Government's views on subject.
X MEMO	State Dept. Memo Near Eastern Affairs (Alling)	Feb. 19	td	10	Treaty of 1833 accepted by the Sultan of Zanzibar after the separation of that State from Muscat, ratified in 1879. Another treaty with Zanzibar changed Art 111 of this treaty in regard to import duties on alcoholic liquors and secured certain privileges for consular representatives. Later treaties signed with Great Britain as protector of Zanzibar.
		Feb. 25	British Embassy td	10	Revision of Art. 2, 3 and 9 of Treaty of 1833 - matter will be considered and information regarding decision forwarded later.
X 11	British Embassy #327	June 15	td		Do - views of the U.S. regarding --.
MEMO.	State Department Treaty Division (Barnes)	Mar. 5	td	10	Selection of members of commission under conciliation treaties. Treaty Division not interested in --.

See 711.0912/83  
See page # 3



## LIST OF PAPERS

Subject: Treaties of Commerce and Navigation- U. S. and Zanzibar.

1929

U. S. GOVERNMENT PRINTING OFFICE: 1928 1-207

File No.

711.48 V2

SUB No.	FROM—	DATE	TO—	SUB No.	PURPORT
X 12	British Embassy #418	July 25	td		Revision of certain articles in the Treaty of 1833 between U. S. and Muscat. Inquiry as to views of U. S. Government in regard to proposals of His Majesty's Government for .-.
		July 30	Nairobi (Albrecht) td fa we	12	DO: Quotes from above note. Requests detailed report giving expression of his views in regard to proposals of British Government
X 13	State Dept. Memo Treaty Div. (Keating)	Mar. 14	td		Modification of certain provisions of the Muscat Treaty in its application to the Zanzibar Protectorate suggest that Dept. should agree to under certain conditions.
X 14	State Dept. Memo Treaty Division (McClure)	June 14	td		Do - approval of -
X 15		Aug. 5	British Embassy td	12	Revision of the treaty of 1833 - matter receiving consideration.
X 16	British Embassy #599	Nov. 4	td		Revision of Treaty of 1833 between U. S. and Muscat. Inquiry as to whether Secretary of State for Foreign Affairs may be shortly informed of views of U. S. Government in regard to proposals set forth by His Majesty's Government in this connection.
		Nov. 14	British Embassy td 50	16	Do - views of the Department will be communicated to Embassy as soon as a decision is reached.



## SUBJECT

Negotiations between United States and  
South Africa for a Treaty for the  
renunciation of War.

## DATE

May 21, 1928

## CASE NUMBER

711.48A12 Anti War

## JACKET

NO. 1

Please do not disarrange or remove papers from  
this jacket or deface jacket with office stamp or  
notations.



DOCUMENT FILE

NOTE

SEE 721.4112 Anti War/87 FOR Tel. #130 4pm  
~~721.48412 Anti War/1~~

FROM Great Britain ( ) DATED May 21, 1928  
TO Great Britain NAME 1-1127 GPO

REGARDING: invitation to be sent to South Africa to become a party  
to treaty for the renunciation of War.



WP

TELEGRAM SENT

GREEN

May 21, 1928, 4 p. m.

AmEmbassy,

London, (England).

130. URGENT.

Your 115, May 19, 3 p. m.

On Friday afternoon when the British Ambassador handed me a copy of Chamberlain's note of May 19, he dictated the following extract from separate instructions which Chamberlain had sent him regarding the participation in the treaty by the Dominions and India:

QUOTE As regards the procedure respecting the Dominion Governments and the Government of India, His Majesty's Government wishes to stress the obvious necessity for the whole empire signing the treaty simultaneously. His Majesty's Government in Great Britain feels confident that the United States Government will approve participation of the Dominions and India and will gladly extend to them the necessary invitations. They would much prefer separate invitations being sent to each of the Dominion Governments  
and

711.4112 Anti-War/87



- 2 - No. 130 to London

and there would be no objection to the invitations to Canada and the Irish Free State being extended through the United States Legations in Ottawa and Dublin and the invitations to His Majesty's Governments in Great Britain, Australia, New Zealand, South Africa and the Government of India through the United States Ambassador in London. UNQUOTE

I am today telegraphing to our Legations at Ottawa and Dublin the text of a note to be dated and delivered tomorrow inviting participation in the treaty by Canada and the Irish Free State, respectively. In view of the procedure suggested by Chamberlain through Howard, I desire to have a corresponding invitation extended by you tomorrow to His Majesty's Governments in Australia, New Zealand and South Africa and to the Government of India. According to information furnished by the British Embassy, your note of invitation should be addressed to Chamberlain. Unless a different procedure is requisite, particularly with reference to whether there should be four separate notes, in which case make the necessary changes, you should therefore date and deliver tomorrow  
to



to Chamberlain the following note which mutatis mutandis is identical with those to be delivered in Ottawa and Dublin:

QUOTE In the note which you addressed to me on May 19, 1928, you were good enough to inform my Government that His Majesty's Government in Great Britain had been in communication with His Majesty's Governments in the Dominions and with the Government of India, and had ascertained that they were all in cordial agreement with the general principle of the multilateral treaty for the renunciation of war which the Government of the United States proposed on April 13, 1928. You added that you felt confident, therefore, that His Majesty's Governments in the Dominions and the Government of India were prepared to accept an invitation to participate in the conclusion of such a treaty as that proposed by the Government of the United States.

I have been instructed to state to Your Excellency that my Government has received this information with the keenest satisfaction. My Government has hoped from the outset of the present negotiations that the Governments of the Dominions and the Government of India would feel disposed to become parties to the suggested anti-war treaty.



130 to London

treaty. It is, moreover, most gratifying to the Government of the United States to learn that His Majesty's Governments in the Dominions and the Government of India are so favorably inclined towards the treaty for the renunciation of war which my Government proposed on April 13, 1928, as to wish to participate therein individually and as original signatories, and my Government, for its part, is most happy to accede to the suggestion contained in your note to me of May 19, 1928.

Accordingly I have been instructed to extend through you to His Majesty's Governments in Australia, New Zealand and South Africa and to the Government of India a cordial invitation in the name of the Government of the United States to become original parties to the treaty for the renunciation of war which is now under consideration. Pursuant to my instructions, I also have the honor to inform you that the Government of the United States will address through you to His Majesty's Governments in Australia, New Zealand and South Africa and to the Government of India at the same time and in the same manner as to the other Governments whose participation in the proposed treaty

in



EG

130 to London

in the first instance is contemplated, any further communications which it may make on the subject of the treaty after it has been acquainted with the views of all the Governments to which its note of April 13, 1928, was addressed. UNQUOTE

Please inform the Foreign Office that the Government of the United States proposes to release the text of its invitations to the Dominions and India for publication simultaneously in the United States and abroad in Friday morning's newspapers, May 25. You should make appropriate arrangements for publication in the local press.

Please telegraph as soon as you have delivered the foregoing note.

KELLOGG

U SP:HWC



PREPARING OFFICE  
WILL INDICATE WHETHER

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Charge Department

OR

Charge to

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TELEGRAM SENT

Department of State

TO BE TRANSMITTED

CONFIDENTIAL CODE

NONCONFIDENTIAL CODE

PLAIN

Washington,

June 14, 1928

AMEMBASSY

JUN 14 28

JUN 14 28

LONDON (ENGLAND).

Your 140, June 11, 6 p.m.

South Africa is the only government which has not yet replied to our invitation. Will you informally ascertain from the Foreign Office whether I may not expect to receive shortly the reply of South Africa. Report by telegraph.

Kelly  
RFB

U SP:HWC

JUN 14 28

Enciphered by

Sent by operator M., 19

711.487412 Anti-Mor/2



# TELEGRAM RECEIVED

EG

FROM

LONDON

Dated June 15, 1928

Recd. 8.35 a.m.

Secretary of State  
Washington

UNDER SECRETARY

JUN 15 1928

DEPT. OF STATE

SECRETARY OF STATE  
JUN 16 1928

144. June 15, noon.

The following note has just been received from the Foreign Office dated June 15th and addressed to me as Charge d'Affaires ad interim:

"Sir:

With reference to the note which Mr. Houghton was so good as to address to me on the 22nd May conveying an invitation to His Majesty's Government in the Union of South Africa to become an original party to the proposed treaty for the renunciation of war I have the honor to inform you that the following message has been received by telegraph from General Hertzog, Minister of External Affairs of State, the Union of South Africa for communication to you.

'Through the good offices of His Majesty's Government in the United Kingdom the contents of the note addressed by Your Excellency to His Excellency the British Secretary of State for Foreign Affairs on the 22nd May were

DEPARTMENT OF STATE  
JUN 16 1928  
DIVISION OF  
WESTERN EUROPEAN AFFAIRS

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INDEX RE APART  
7/11.48 A/12  
Anti War/3

FILED  
JUN 23 1928

144 from London

were duly conveyed to me. On behalf of His Majesty's Government in the Union of South Africa I beg to state that the cordial invitation of the Government of the United States extended to His Majesty's Government in the Union of South Africa to participate individually and as an original signatory in the treaty for the renunciation of war which the United States Government proposed to various governments on the 13th April last, is highly appreciated, and that His Majesty's Government in the Union of South Africa will gladly take part therein as invited together with the other governments whose participation in the proposed treaty was invited in the first instance.

In expressing their willingness to be a party to the proposed treaty His Majesty's Government in the Union of South Africa take it for granted -

(A) That it is not intended to deprive any party to the proposed treaty of any of its natural right of legitimate self defense;

(B) That a violation by any one of the parties of any of the provisions of the proposed treaty will free the other parties from obligation to observe its terms in respect of the party committing such violation; and

(C)



144 from London

(C) That provision will be made for rendering it quite clear that it is not intended that the Union of South Africa by becoming a party to the proposed treaty would be precluded from fulfilling as a member of the League of Nations its obligations towards the other members thereof under the provisions of the Covenant of the League.'

I have the honor to be

With high consideration,

Sir,

Your obedient servant

(For the Secretary of State)

R. L. Craigie"

In view of the Department's telegraphic instruction number 150, June 14, 1 p.m., I have agreed that the text of the note will be released by the Department for publication in the United States in the morning papers of Saturday, June 16th, and by the Foreign Office here and in South Africa at the same time.

ATHERTON

HPD



DOCUMENT FILE

NOTE

SEE 711.4112 Anti War/133 FOR despatch #2853

FROM Great Britain (Atherton) DATED June 19, 1928  
TO NAME 1-1127 GPO

REGARDING: reply of the Government of South Africa to invitation to  
become a party to the Anti-War Treaty.

711.48812 Anti War/4

QUINTUPLICATE

No. 2853

London, June 19, 1928.

The Honorable

The Secretary of State,

Washington.

Sir,

With reference to the Department's telegraphic Instruction No. 130 dated May 21, 4 p.m., which requested the Embassy to extend through the Secretary of State for Foreign Affairs, to His Majesty's Governments in Australia, New Zealand and South Africa, and to the Government of India, a cordial invitation in the name of the Government of the United States to become original parties to the treaty for the renunciation of war, which is now under consideration, I have the honor to forward herewith copies of the several replies, which were transmitted to the Department in the Embassy's telegrams, No. 128, dated May 30,

711.418 P.12.17 W



May 30, 5 p.m., No. 132, dated June 2, 1 p.m.,  
No. 140, dated June 11, 6 p.m., and No. 144, dated  
June 15, 12 noon.

I have the honor to be, Sir,

Your obedient servant,

Ray Atherton,  
Chargé d'Affaires ad interim.

Enclosures:  
Copies of replies from  
Governments of -  
Australia,  
New Zealand,  
India, and  
Union of South Africa.  
Note 1776 dated May 22,  
1928 to Foreign Office.

R. E. K.

FOREIGN OFFICE, S.W.1.

No. A 3570/1/45.

30th May, 1928.

Sir,

In the note which Mr. Houghton was so good as to address to me on May 22nd he extended on behalf of the Government of the United States an invitation to His Majesty's Governments in the Commonwealth of Australia, New Zealand and in the Union of South Africa, as well as to the Government of India, to participate individually and as original signatories in the treaty for the renunciation of war which is now under consideration.

2. I now have the honor to inform you that His Majesty's Government in New Zealand have received with warm appreciation the invitation addressed to New Zealand to become an original party to the treaty proposed by the Government of the United States for the renunciation of war. His Majesty's Government in New Zealand welcome the opportunity, in cooperation with His Majesty's Governments in other parts of the British Empire, of associating themselves with the Government of the United States in this movement to add greater security to the peace of the world and they will be happy to share in any negotiations leading to the conclusion of the proposed treaty.

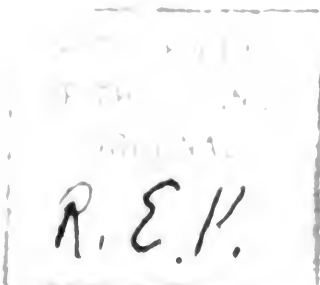
I have the honor to be,  
with high consideration,

Sir,

Your obedient servant,  
(For the Secretary of State)  
(Signed) R. L. Craigie.

Ray Atherton, Esq.,

etc., etc., etc.





2nd June, 1928.

Sir,

In the note which Mr. Houghton was so good as to address to me on May 22nd last, he extended on behalf of the Government of the United States an invitation to His Majesty's Government in the Commonwealth of Australia to participate individually and as an original signatory in the treaty for the renunciation of war which is now under consideration.

2. I now have the honour to inform you that His Majesty's Government in the Commonwealth of Australia have received with appreciation the invitation to participate as an original party in the treaty for the renunciation of war which has been proposed by the Government of the United States of America. His Majesty's Government in the Commonwealth of Australia have carefully and sympathetically examined the draft treaty submitted to them together with the correspondence that has so far been exchanged between the interested governments. They believe that a treaty such as that proposed would be a further material safeguard to the peace of the world and they will be happy to co-operate to the fullest extent in its successful conclusion.

I have the honor to be,  
with high consideration,

Sir,

Your obedient servant,

(For the Secretary of State)

(Signed) R. L. Craigie

Ray Atherton, Esq.,

etc., etc., etc.

11th June, 1928.

No. A 3793/1/45.

Sir,

In the note which Mr. Houghton was so good as to address to me on the 22nd ultimo, he extended, on behalf of the Government of the United States, an invitation to the Government of India to participate individually and as an original signatory in the treaty for the renunciation of war which is now under consideration.

2. I now have the honour to inform you that the Government of India have requested that an expression of their warm thanks may be conveyed to the United States Government for this invitation which they are happy to accept. I have the honour to add that the Government of India desire to associate themselves with the note which I had the honour to address to Mr. Houghton on the 19th ultimo.

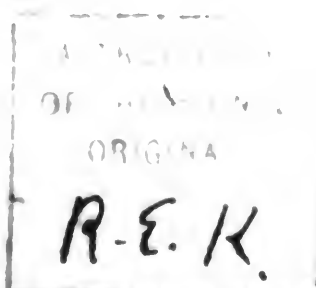
I have the honour to be,  
with high consideration,

Sir,

Your obedient servant,  
(For the Secretary of State)  
(Signed) R. L. Craigie

Ray Atherton, Esq.,

etc., etc., etc.





June 15th, 1928.

No. A 4087/1/45.

Immediate.

Sir:-

With reference to the note which Mr. Broughton was so good as to address to me on the 22nd May conveying an invitation to His Majesty's Government in the Union of South Africa to become an original party to the proposed treaty for the renunciation of war, I have the honour to inform you that the following message has been received by telegraph from General Hertzog, Minister of External Affairs of the Union of South Africa, for communication to you:-

"Through the good offices of His Majesty's  
"Government in the United Kingdom the contents of  
"the note addressed by Your Excellency to His  
"Excellency the British Secretary of State for  
"Foreign Affairs on the 22nd May were duly conveyed  
"to me. On behalf of His Majesty's Government in  
"the Union of South Africa I beg to state that the  
"cordial invitation of the Government of the United  
"States extended to His Majesty's Government in the  
"Union of South Africa to participate individually  
"and as an original signatory in the treaty for the  
"renunciation of war which the United States Government  
"proposed to various governments on the 13th April  
"last, is highly appreciated and that His Majesty's  
"Government in the Union of South Africa will gladly  
"take part therein, as invited, together with the  
"other

Ray Atherton, Esq.,

etc., etc., etc.

"other Governments whose participation in the  
"proposed treaty was invited in the first instance.

"In expressing their willingness to be a party  
"to the proposed treaty His Majesty's Government in  
"the Union of South Africa take it for granted -

"(a) that it is not intended to deprive any party  
"to the proposed treaty of any of its natural right  
"of legitimate self-defence;

"(b) that a violation of any one of the parties  
"of any of the provisions of the proposed treaty  
"will free the other parties from obligation to  
"observe its terms in respect of the party committing  
"such violation; and

"(c) that provision will be made for rendering it  
"quite clear that it is not intended that the Union  
"of South Africa, by becoming a party to the proposed  
"treaty, would be precluded from fulfilling, as a  
"member of the League of Nations, its obligations  
"towards the other members thereof under the  
"provisions of the Covenant of the League."

I have the honour to be,

with high consideration,

Sir,

Your obedient servant,

(For the Secretary of State)

(Signed) R. L. Craigie.

R. E. K.



No. 1776.

London, May 22, 1928.

Sir:

In the note which you addressed to me on May 19th, 1928, you were good enough to inform my Government that His Majesty's Government in Great Britain had been in communication with His Majesty's Governments in the Dominions and with the Government of India and had ascertained that they were all in cordial agreement with the general principle of the multilateral treaty for the renunciation of war which the Government of the United States proposed on April 13th, 1928. You added that you felt confident, therefore, that His Majesty's Governments in the Dominions and the Government of India were prepared to accept an invitation to participate in the conclusion of such a treaty as that proposed by the Government of the United States.

I have been instructed to state to you that my Government has received this information with the keenest satisfaction. My Government has hoped from the outset of the present negotiations that the Governments of the Dominions and the Government of India would feel disposed to become parties to the suggested anti-war treaty.

ble  
The Right Hon .

Sir Austen Chamberlain, K.G.,

etc., etc., etc.,

Foreign Office, S.W.

treaty. It is, moreover, most gratifying to the Government of the United States to learn that His Majesty's Governments in the Dominions and the Government of India are so favorably inclined towards the treaty for the renunciation of war which my Government proposed on April 13th, 1928, as to wish to participate therein individually and as original signatories, and my Government, for its part, is most happy to accede to the suggestion contained in your note to me of May 19th, 1928.

Accordingly, I have been instructed to extend, through you, to His Majesty's Governments in Australia, New Zealand and South Africa, and to the Government of India, a cordial invitation, in the name of the Government of the United States, to become original parties to the treaty for the renunciation of war which is now under consideration. Pursuant to my instructions, I also have the honor to inform you that the Government of the United States will address, through you, to His Majesty's Governments in Australia, New Zealand and South Africa, and to the Government of India, at the same time and in the same manner as to the other Governments whose participation in the proposed treaty in the first instance is contemplated, any future communications which it may make on the subject of the

treaty



treaty after it has been acquainted with the views of all the Governments to which its note of April 13th, 1928, was addressed.

I have the honor to be,

with the highest consideration,

Sir,

Your most obedient,

humble servant,

R.E.K.

A. B. HOUGHTON.

# TELEGRAM RECEIVED

EG

And all Receipts  
of State

FROM

GREEN

LONDON

Dated July 18, 1928

Recd. 2.33 p.m.

Secretary of State

Washington

165. July 18, 2 p.m.

My 163, July 18, noon.



The following note was handed me by Chamberlain this morning on behalf of His Majesty's Government in the Union of South Africa, dated July 18, and addressed to me as Charge d'Affaires ad interim:

"In the note which you were so good as to address to me on June 23rd last you stated that the Government of the United States would be glad to be informed whether His Majesty's Government in the Union of South Africa were willing to join with the United States and other similarly disposed governments in signing a definitive treaty for the Renunciation of War in the form of the draft treaty enclosed in your note two. I now beg leave to inform you that the following message has been received by telegraph from General Hertzog, Minister of External Affairs of the Union of South Africa, for communication to you:

On behalf of His Majesty's Government in the  
Union

INDEX BUREAU  
7/11.48a 12 Anti War/5  
FILED  
JUL 19 1928



165 from London

Union of South Africa I have the honor to inform you that my government have given their most serious consideration to the new draft Treaty for the Renunciation of War submitted in your note of 23rd June and to the observations accompanying it.

My Government note with great satisfaction;

(A) - That it is common cause that the right of legitimate self-defense is not affected by the terms of the new draft.

(B) - That according to the preamble any signatory who shall seek to promote its national interests by resorting to war shall forfeit the benefits of the treaty, and;

(C) - That the treaty is open to accession by all powers of the world.

My Government have further examined the question whether the provisions of the present draft are inconsistent with the terms of the Covenant of the League of Nations by which they are bound and have come to the conclusion that this is not the case and that the objects which the League of Nations was constituted to serve can best be promoted by members of the League of Nations participating in the proposed treaty.

His Majesty's Government in the Union of South  
Africa

- 3 -

165 from London

Africa have therefore very great pleasure in expressing their willingness to sign together with all other powers which might be similarly inclined the treaty in the form proposed in your note under reference'".

ATHERTON

WSB



# DOCUMENT FILE

## NOTE

SEE 711.4112 Anti War/154 FOR Telegram #168-11am

FROM Great Britain ( Atherton ) DATED July 18, 1928  
TO NAME 1-1127 GPO

REGARDING: South Africa's reply to Secretary's note of June 23.

lv

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711.48a12 Anti War/6

# DOCUMENT FILE

## NOTE

SEE 711.4112 Anti War/159 FOR Despatch #2900

FROM Great Britain (Atherton) DATED July 18, 1928  
TO NAME

1-1127 GPO

REGARDING: reply of South Africa to the Secretary's note  
of June 23rd.

lv

INDEX BUREAU

711.48 Anti War 17



QUINTUPLE ATE

No. 2900

London, July 18, 1928.

The Honorable

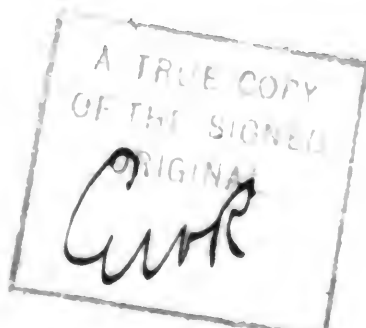
The Secretary of State,

Washington, D. C.

Sir:

I have the honor to refer to my despatch No. 2862, June 26, 1928, giving the text of the note transmitted to the Foreign Office, dated June 23, 1928, relating to the pact for the outlawry of war, and in this connection to  
5/ enclose copies, in quintuplicate, of the replies handed me today by Sir Austen Chamberlain from His Majesty's Government in Great Britain and Northern Ireland and His Majesty's Governments in the Commonwealth of Australia,

New Zealand



New Zealand and the Union of South Africa, as well as from the Government of India, referred to in my telegram No. 163, July 18, 12 noon, and my subsequent telegrams of today's date.

I have the honor to be, Sir,

Your obedient servant,

Ray Atherton  
Chargé d'Affaires ad interim.

**Enclosures:**

1. Reply of His Majesty's Government in Great Britain and Northern Ireland, dated July 18, 1928.
2. Reply of His Majesty's Government in the Commonwealth of Australia, dated July 18, 1928.
3. Reply of His Majesty's Government in New Zealand, dated July 18, 1928.
4. Reply of His Majesty's Government in the Union of South Africa, dated July 18, 1928.
5. Reply of the Government of India, dated July 18, 1928.



Enclosure No. 1.

FOREIGN OFFICE

July 18, 1928.

Sir,

I AM happy to be able to inform you that after carefully studying the note which you left with me on the 23rd June, transmitting the revised text of the draft of the proposed treaty for the renunciation of war, His Majesty's Government in Great Britain accept the proposed treaty in the form transmitted by you and will be glad to sign it at such time and place as may be indicated for the purpose by the Government of the United States.

My Government have read with interest the explanations contained in your note as to the meaning of the draft treaty, and also the comments which it contains upon the considerations advanced by other Powers in the previous diplomatic correspondence.

You will remember that in my previous communication of the 19th May I explained how important it was to my Government that the principle should be recognised that if one of the parties to this proposed treaty resorted to war in violation of its terms, the other parties should be released automatically from their obligations towards that party under the treaty. I also pointed out that respect for the obligations arising out of the Covenant of the League of Nations and of the Locarno treaties was the foundation of the policy of the Government of this country, and that they could not agree to any new treaty which would weaken or undermine these engagements.

The stipulation now inserted in the preamble under which any signatory Power hereafter seeking to promote its national interests by resort to war against another signatory is to be denied the benefits furnished by the

Ray Atherton, Esq.,  
etc., etc., etc.

treaty/

treaty is satisfactory to my Government, and is sufficient to meet the first point mentioned in the preceding paragraph.

His Majesty's Government in Great Britain do not consider, after mature reflection, that the fulfilment of the obligations which they have undertaken in the Covenant of the League of Nations and in the Treaty of Locarno is precluded by their acceptance of the proposed treaty. They concur in the view enunciated by the German Government in their note of the 27th April that those obligations do not contain anything which could conflict with the treaty proposed by the United States Government.

My Government have noted with peculiar satisfaction that all the parties to the Locarno Treaty are now invited to become original signatories of the new treaty, and that it is clearly the wish of the United States Government that all members of the League should become parties either by signature or accession. In order that as many States as possible may participate in the new movement, I trust that a general invitation will be extended to them to do so.

As regards the passage in my note of the 19th May relating to certain regions of which the welfare and integrity constitute a special and vital interest for our peace and safety, I need only repeat that His Majesty's Government in Great Britain accept the new treaty upon the understanding that it does not prejudice their freedom of action in this respect.

I am entirely in accord with the views expressed by Mr. Kellogg in his speech of the 28th April that the proposed treaty does not restrict or impair in any way the right of  
self-defense/

self-defence, as also with his opinion that each State alone is competent to decide when circumstances necessitate recourse to war for that purpose.

In the light of the foregoing explanations, His Majesty's Government in Great Britain are glad to join with the United States and with all other Governments similarly disposed in signing a definitive treaty for the renunciation of war in the form transmitted in your note of the 23rd June. They rejoice to be associated with the Government of the United States of America and the other parties to the proposed treaty in a further and signal advance in the outlawry of war.

I have the honour to be,

with high consideration,

Sir,

Your obedient Servant,

AUSTEN CHAMBERLAIN



Enclosure No. 2.

COPY.

A 4793/1/45

FOREIGN OFFICE, S. W. 1.

18th July, 1928.

Sir,

In the note which you were so good as to address to me on June 23rd last you stated that the Government of the United States would be glad to be informed whether His Majesty's Government in the Commonwealth of Australia were willing to join with the United States and other similarly disposed Governments in signing a definitive treaty for the renunciation of war in the form of the draft treaty enclosed in your note.

2. I now beg leave to inform you that His Majesty's Government in the Commonwealth of Australia have given the most careful consideration to your note above-mentioned and to the revised draft treaty which accompanied it, and that they accept the assurance given by the United States Secretary of State that the right of self-defence of a signatory State will not be impaired in any way by acceptance of the proposed treaty.

3. The Commonwealth Government have further observed that it is stated in your note of June 23rd that the preamble to the revised treaty accords express recognition to the principle that if one signatory State resorts to war in violation of the treaty, the other signatory States will be released from their obligations under the treaty to that State. They accept this declaration that the preamble in this respect is

to/

Ray Atherton, Esq.,

cc. cc. cc.

to be taken as a part of the substantive provisions of the treaty itself.

4. They have also particularly examined the draft treaty from the point of view of its relationship to the Covenant of the League of Nations, and in this connexion have come to the conclusion that it is not inconsistent with the latter instrument.

5. His Majesty's Government in the Commonwealth of Australia add that the foregoing are the only questions to which the proposed treaty gives rise in which they are especially interested. As the text of the treaty which has now been submitted is completely satisfactory to them so far as these specific points are concerned, they will be quite agreeable to signing it in its present form.

I have the honour to be,  
with high consideration,

Sir,

Your obedient Servant,

(Signed ) AUSTEN CHAMBERLAIN.

COPY.

A.4793/1/45.

FOREIGN OFFICE, S.W.1.

18th July, 1928.

Sir,

In the note which you were so good as to address to me on June 23rd last you stated that the Government of the United States would be glad to be informed whether His Majesty's Government in New Zealand were willing to join with the United States and other similarly disposed Governments in signing a definitive treaty for the renunciation of war in the form of the draft treaty enclosed in your note.

2. I now beg leave to inform you that His Majesty's Government in New Zealand desire to associate themselves with the terms of the note which I have had the honour to address to you to-day notifying you of the willingness of His Majesty's Government in Great Britain to sign a multi-lateral treaty for the renunciation of war as proposed by the Government of the United States. His Majesty's Government in New Zealand desire me to add that they will have the utmost satisfaction, in co-operation with His Majesty's Governments in other parts of the British Empire, in joining with the Government of the United States and with all other Governments similarly disposed in signing a treaty in the form proposed.

I have the honour to be,  
with high consideration,

Sir,

Your obedient Servant,

(Signed) AUSTEN CHAMBERLAIN.

Ray Atherton, Esq.,

etc., etc., etc.



Enclosure No. 4.

COPY.

A 4793/1/45.

FOREIGN OFFICE,

S. W. 1.

18th July, 1928.

Sir,

In the note which you were so good as to address to me on June 23rd last you stated that the Government of the United States would be glad to be informed whether His Majesty's Government in the Union of South Africa were willing to join with the United States and other similarly disposed Governments in signing a definitive treaty for the renunciation of war in the form of the draft treaty enclosed in your note.

2. I now beg leave to inform you that the following message has been received by telegraph from General Hertzog, Minister of External Affairs of the Union of South Africa, for communication to you:-

"On behalf of His Majesty's Government in the Union  
"of South Africa I have the honour to inform you that my  
"Government have given their most serious consideration to  
"the new draft treaty for the renunciation of war, submitted  
"in your note of 23rd June, and to the observations accom-  
"panying it.

"My Government note with great satisfaction (a) that  
"it is common cause that the right of legitimate self-defence  
"is not affected by the terms of the new draft; (b) that,  
"according to the preamble, any signatory who shall seek to  
"promote its national interests by resort to war shall for-  
"feit the benefits of the treaty; and (c) that the treaty  
"is open to accession by all powers of the world.

"My/

Ray Atherton, Esq.,

cc. cc. cc.

"My Government have further examined the question  
"whether the provisions of the present draft are inconsistent  
"with the terms of the Covenant of the League of Nations by  
"which they are bound, and have come to the conclusion that  
"this is not the case, and that the objects which the League  
"of Nations was constituted to serve can but be promoted by  
"members of the League of Nations participating in the pre-  
"posed treaty.

"His Majesty's Government in the Union of South Africa  
"have therefore very great pleasure in expressing their  
"willingness to sign, together with all other Powers which  
"might be similarly inclined, the treaty in the form proposed  
"in your note under reference."

I have the honour to be,

with high consideration,

Sir,

Your obedient Servant,

(Signed) AUSTEN CHAMBERLAIN.

COPY.

A. 4793/1/45.

FOREIGN OFFICE.

S.W.1.

18th July, 1928.

Sir,

In the note which you were so good as to address to me on June 23rd last you stated that the Government of the United States would be glad to be informed whether the Government of India were willing to join with the United States and other similarly disposed Governments in signing a definitive treaty for the renunciation of war in the form of the draft treaty enclosed in your note.

I now beg leave to inform you that the Government of India associate themselves wholeheartedly and most gladly with the terms of the note which I have had the honour to address to you today notifying you of the willingness of His Majesty's Government in Great Britain to sign a multi-lateral treaty for the renunciation of war as proposed by the Government of the United States.

I have the honour to be,  
with high consideration,

Sir,

Your obedient servant,

(Signed) AUSTEN CHAMBERLAIN.

Ray Atherton, Esq.,

etc., etc., etc.



TELEGRAM RECEIVED

WE  
IB

JAN 28 1929

EG

This telegram must be closely paraphrased before being communicated to anyone.

FROM

LONDON

Dated January 25, 1929

RECEIVED

Recd. 2.15 p.m.

Secretary of State

Washington

22. January 25, 5 p.m.

PERSONAL FOR THE SECRETARY.

Your 19, January 24, 1 p.m.



Chamberlain has twice assured me that he was ready to proceed with ratification since no parliamentary action on treaty is required. Learned this morning from confidential source however that some apprehension was felt here regarding possible delay in South African ratification. I therefore took occasion to call on the High Commissioner and explained to him your desire that the ratification be not delayed. The High Commissioner replied that the South African parliament met today and that he hoped General Hertzog would bring the matter before it in his opening address. If not the High Commissioner will at once cable and urge immediate ratification.

Am going to Birmingham tomorrow to speak at dinner with Chamberlain at his request and will then again emphasize importance of prompt action.

January 25, 5 p.m.

WSB

HOUGHTON

SEP 30 1929

FILED

71.48712 Cuth. Wae/S

PREPARING OFFICE  
WILL INDICATE WHETHER

# TELEGRAM SENT

TO BE TRANSMITTED ☒ **SEND**  
CONFIDENTIAL CODE  
NONCONFIDENTIAL CODE

Collect

Charge Department

OR

Charge to

\$

## Department of State

Washington,

This cable was sent in confidential code.  
It should be carefully paraphrased before  
being communicated to anyone.

January 31, 1929.

JAN 31 29

AMEMBASSY,

LONDON (ENGLAND).

23

Your 24, January 29.

Inform Department of precise nature of "South  
Africa's favorable action", and basis for your  
information.

Kellogg

P. B. G.

WE:PBG:VMA

~~TD~~

~~CHAS. B.~~

~~114~~ <sup>WHE</sup>

JAN 31 29

Jan. 31, 1929

mark

DISTRICT

Enciphered by \_\_\_\_\_

Sent by operator \_\_\_\_\_ M., \_\_\_\_\_, 19\_\_\_\_

711.48712 Cmt. W. A. 1/9

# TELEGRAM RECEIVED

*Reforme*  
*Letter to Atherton*  
2/4/29 AC/uf  
LONDON *WT (PAG)*

EG This telegram must be  
closely paraphrased <sup>FROM</sup> be-  
fore being communicated  
to anyone.

Dated February 1, 1929

Secretary of State  
Washington

RECEIVED  
1929  
Dep't. of State

Recd. 9 a.m.  
DEPARTMENT OF STATE  
*PA* *File*  
FEB 1 1929  
DIVISION OF  
WESTERN EUROPEAN AFFAIRS

TREATY DIVISION

FEB 6 1929

DEPARTMENT OF STATE

26. February 1, noon.

Department's 23, January 31, 1 p.m.

Confirming previous conversation by a formal  
note to me, dated January 30, High Commissioner for  
South Africa states:

(Special Green) "I have been instructed by  
my Prime Minister by cable to approach the British  
Government with a request that His Majesty the King  
may be moved to ratify the treaty for the renunciation  
of war on behalf of the Union of South Africa."

HOUGHTON

WSB

INDEXED

*711.48812 Cante Mcay/10*

FILED

SEP 30 1929

C



P.B. 13.

Mr. Sillit  
Very interesting thanks  
for sending it on.

March 16

WE

EMBASSY OF THE  
DIVISION OF  
UNITED STATES OF AMERICA  
AND PROTOCOL  
MAR 16 1929  
London, February 28, 1929.  
DEPARTMENT OF STATE

FE

1 B

file

er of February 4th, may I  
gram No. 22, January 25,

ton reports his understand-  
orce of the apprehension exist-  
a ratification of the Peace  
ordingly, he made a personal  
High Commissioner and was  
Smit of General Hertzog's  
Parliament would ratify

at an early date, and subsequently, in a formal note  
to Mr. Houghton, dated January 30th, Mr. Smit states  
further that he had been instructed to approach the  
British Government relating to the ratification of the  
Treaty. How formal this note is, I can only tell you  
by enclosing a copy. With the exception of this note,  
I know, at the moment, of no correspondence between the  
Embassy and the High Commissioners beyond the amenities  
of

Prentiss Gilbert, Esq.,  
Department of State,  
Washington, D. C.

INDEX BUREAU

711.48 A12 Data-May 11

FILED

MAR 22 1929

DEPARTMENT OF STATE

DIVISION OF WESTERN EUROPEAN AFFAIRS

1C

Am Run

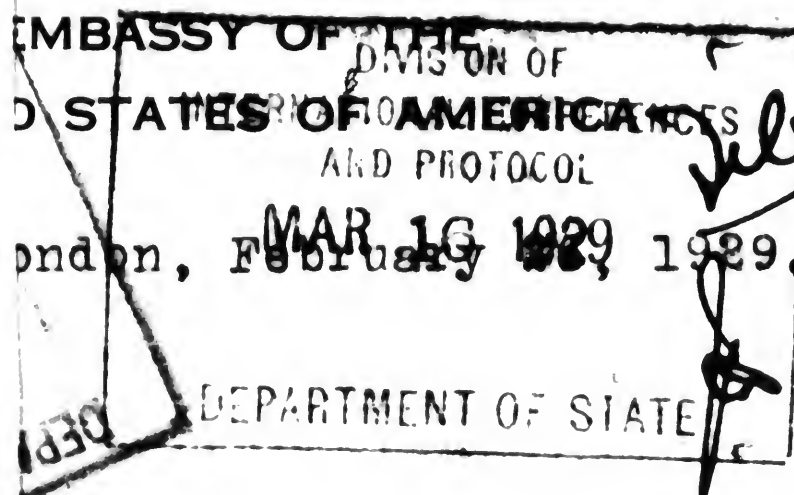
I think you will be  
interested in some of these.

You can keep it or

Send it to 1B for file.

PBB

16 Main.



FE

1B

file

er of February 4th, may I

gram No. 22, January 25,

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ratification of the Peace

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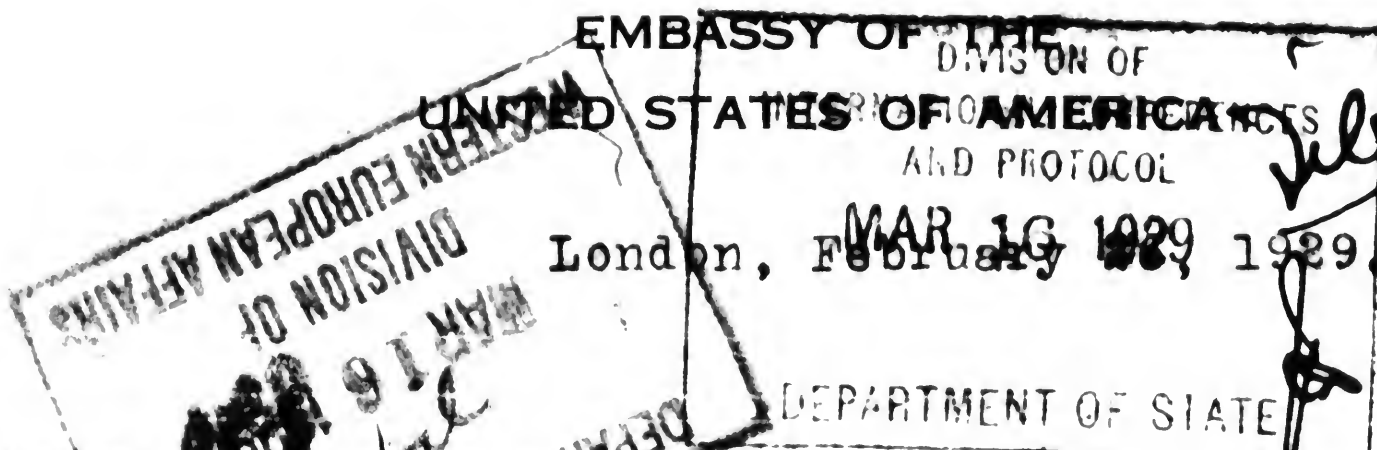
Prentiss Gilbert, Esq.,  
Department of State,  
Washington, D. C.

INDEX BUREAU

711.48 A12 Date-May 11

FILED

MAR 22 1929



Dear Gilbert:

In answering your letter of February 4th, may I refer to the Embassy's telegram No. 22, January 25, 5 p. m., in which Mr. Houghton reports his understanding from a confidential source of the apprehension existing as to possible delay in ratification of the Peace Pact by South Africa. Accordingly, he made a personal call on the South African High Commissioner and was informed at that time by Mr. Smit of General Hertzog's hope that the South African Parliament would ratify at an early date, and subsequently, in a formal note to Mr. Houghton, dated January 30th, Mr. Smit states further that he had been instructed to approach the British Government relating to the ratification of the Treaty. How formal this note is, I can only tell you by enclosing a copy. With the exception of this note, I know, at the moment, of no correspondence between the Embassy and the High Commissioners beyond the amenities of

Prentiss Gilbert, Esq.,  
Department of State,  
Washington, D. C.

INDEX BUREAU

7/11. 48 A12 Date-May/11

MAR 22 1929



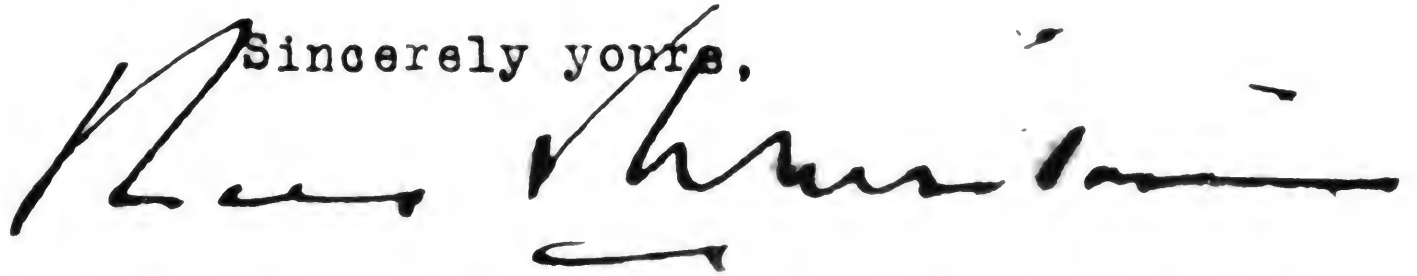
of social life and occasional requests for diplomatic visas for Dominion officials and/or missions. We do, of course, visit the Dominion officers, and they us. Only recently I had a discussion with the Canadian High Commissioner on apples.

In this connection I am enclosing copies of letters exchanged between Belin and Warner of the Foreign Office, more or less pertaining to your inquiry. Belin wrote the letter to Warner at the request of the Legation at Ottawa, which expected that the question of precedence might be raised there.

As regards communications between this Embassy, or other Missions in London, and Dominion Commissioners in London, Warner told Belin that of course there could be no objection to the direct exchange of informal communications, but that he supposed formal communications should go through the Foreign Office, although he felt that no such occasion was likely to arise.

From inquiry of several Colleagues at the Levee this morning, they informed me that they either had little or no communication with the Dominion officers or else correspondence of an informal character.

Sincerely yours,



Enclosures:

South African High Commissioner to Mr. Houghton, January 30, 1929.

Mr. Belin to Mr. Warner, November 5, 1928.

Mr. Warner to Mr. Belin, February 25, 1929.

HIGH COMMISSIONER  
UNION OF SOUTH AFRICA.

South Africa House,  
Trafalgar Square,  
London, W. C. 2.

29th January, 1929.

Your Excellency,

I have the honour to inform Your Excellency that General Hertzog, the Prime Minister of the Union of South Africa has directed me to state in reply to the representations Your Excellency was good enough to make on the subject of the ratification of the Treaty for the Renunciation of War, that he hopes that Parliament will be in a position to ratify the Treaty within the next week.

I have the honour to be,

Sir,

Your obedient servant,

(Signed) J. S. SMIT.

High Commissioner.

His Excellency  
The American Ambassador,  
4 Grosvenor Gardens,

S. W.

HIGH COMMISSIONER  
UNION OF SOUTH AFRICA

South Africa House,  
Trafalgar Square,  
London, W. C. 2.

30th January, 1929.

Your Excellency,

With reference to my letter of the 29th instant I now have the honour to inform you that I have been instructed by my Prime Minister by cable dated the 30th instant, to approach the British Government with the request that His Majesty the King may be moved to ratify the Treaty for the Renunciation of War on behalf of the Union of South Africa.

I have the honour to be,

Sir,

Your obedient servant,

(Signed) J. S. SMIT.

High Commissioner.

His Excellency  
The American Ambassador,  
4 Grosvenor Gardens,  
S. W.



COPY

London, November 5, 1928.

Dear Mr. Warner:

One of my colleagues who is in the American Legation at Ottawa has written to me asking for information regarding the new British High Commissioner in Canada. As I am unable to supply this information, I wonder if you would be so good as to give me the facts, so that I can answer his inquiry? He desires to know:

1) Upon the arrival of a new Canadian High Commissioner in London, would he call on Missions where the Chief of Mission was a Chargé d'Affaires ad interim?

2) In individual precedence, how does the British High Commissioner rank with a Chargé d'Affaires ad interim of another country?

3) What is the relative rank of a First Secretary of the British High Commission and a First Secretary of a Legation at London where the Secretary of the Legation arrived after the Secretary of equal rank of the High Commission?

I/

G. R. Warner, Esquire,  
The Foreign Office,  
S.W.1.

I am sure also that my colleague would be glad to have a statement as to the rank which is enjoyed by the Canadian High Commissioner in London. Does he have the rank of an Ambassador, Minister, or Minister Resident?

Sincerely yours,

F.L.BELIN

COPY

FOREIGN OFFICE, S.W.1.

25th February, 1929.

No. T 562/562/373.

My dear Belin,

With reference to our conversation on February 20th about your letter of the 5th November last on certain questions of precedence, the best answers which I can give on the various points raised are as follows:-

(1) The High Commissioners of His Majesty's Dominions in London are not members of the Diplomatic Body and no rules have been laid down with regard to their calling on foreign Missions.

(2) For the same reason there is no relative precedence between a Dominion High Commissioner and a Chargé d'Affaires.

(3) Though members of the foreign service are attached to His Majesty's High Commission at Ottawa, they are not attached in a diplomatic capacity, and foreign diplomats therefore take precedence over them.

(4) The Canadian High Commissioner in London has no diplomatic rank.

I must send many apologies for not having answered your letter before.

Yours sincerely,

(Signed) G.R. WARNER

F. L. Belin, Esquire.



Dear Ray:

Your letter of February 26, 1929, in answer to mine of February 4 contained exactly the information which the Division desired on the subject of the relations between the Embassy and the representatives of the various British Dominions in London.

The question of the relations between this Government and the Dominion representatives in this country without diplomatic status was at first rather a tricky one. The Department was of course pretty clear on the subject but the other Departments were at sea and some of the Dominion representatives had a way of pushing themselves in and making what was tantamount to representations all of which had to be straightened out later by getting the matters back into regular channels, ie, the British Embassy in

Washington

Ray Atherton, Esquire,

Care of American Embassy,

London.

Washington. For these reasons the Department has been very much interested in this situation and what you have to tell us is both interesting and enlightening.

We were also glad to learn through the enclosures to your letter the decisions regarding the question of precedence of Dominion officials in London.

Sincerely yours,

*Preston Green*

WE:PBQ:VGN:SS

## TELEGRAM RECEIVED.

ALL

01-946

INDEX BUREAU

R Rec'd

JUN 23 1919

Dept. of State

Secretary of State,

Washington, D.C.

2715, June 22, 5pm.

Our 2649 June 19, 4pm. During Liberian negotia-

tions British raised question of article six of the United States treaty of 1833 with (?) and referred to some inconveniences it had created in Zanzibar. Foreign Office delivered today a memorandum stating that in 1913 a tax was imposed on rental values in Zanzibar to defray cost of cleaning and lighting streets. In 1914 United States claimed that Americans were exempted from this tax by above treaty, and other governments claimed like immunity for their nationals by reason of most favored nation clause. British did not concede legality of American claim, but before it was tested in the courts war broke out and the matter was dropped. According to memorandum there were in 1913 only two United States commercial houses in Zanzibar employing altogether four United States citizens.

Memorandum therefore argues that the matter is of small practical importance to American interests and "as the United States Government have called attention to the inconvenience caused by triple control in Liberia His



Dated June 22, 1919.

Recd. 9.45am

*Wulley 8/22*  
*642 V. III 1121*

*711.48 V2/1*

Filed  
 JUL 2 1919



# TELEGRAM RECEIVED.

ELL

#2 Paris 2715  
FROM

01-946

His Majesty's Government feel that they may properly ask the United States Government to agree to the cancellation of article six of the treaty of 1833 which imposed on the government of Zanzibar a form of servitude very detrimental to the maintenance of order and sanitation in the sultanate."

AMERICAN MISSION

JOW

N O T E

SEE 848v.111/1 & 2 for despatches  
from Mombasa #46, Jan. 23, 1917 &  
#106 Oct. 30, 1917 re Zanzibar  
Govt. Decree in apparent conflict  
with Art. 2 of Treaty of 1833,  
and restrictions on certain ex-  
ports from Zanzibar belonging to  
an Am. firm.

dt

NOTES BUREAU  
711.48v2/1

NOTE

SEE 848v.512/1 for despatch  
from Zanzibar #40, Apr. 28, 1914  
re Treaty of 1833 between U.S.  
& Zanzibar. Asks if article 6  
of- is in force. Consulate re-  
fused to pay tax when request-  
ed.

dt

711.48v2/2  
EX-111



N O T E

SEE 763.72119/5462 for Tel from  
Peace Mission U.S.#2875 9p. of  
June 29, 1919 re:

Zanzibar question. Sperling of Brit.  
F.O. writes to Beer expressing hope  
U.S. will meet Brit.re-. Desires in-  
formation as to whether any objections  
to giving assurances to Brit.of favorable  
consideration of -.

711.48252  
3

711.45V 2

AMERICAN COMMISSION  
TO NEGOTIATE PEACE

SOLICITOR'S OFFICE  
JUL 15 1919  
DEPARTMENT OF STATE

Paris, June 21, 1919.

The Honorable

The Acting Secretary of State

Washington, D. C.

Sir:

With reference to the Commission's cable No. 2715 of June 22, 5 p.m., relative to the Treaty between the United States and Muscat of the 21st of September 1833, I have the honor to transmit for the information of the Department a copy of a note from the British Delegation of June 21 and the memorandum from the British Foreign Office on which the Commission's cable was based.

I have the honor to be, Sir,

Your obedient servant,

Secretary General.

2 Enclosures.

grec  
CLA  
BE  
DO

INDEX BUREAU  
711.48 V2/4

JUL 17 1919

COPY

British Delegation,  
Paris.

21st June, 1919.

(13006)

Dear Mr. Beer,

You will remember that Mr. Sperling and I recently mentioned to you the question of the Treaty between the United States and Muscat of the 21st September 1833 and promised to send you an official memorandum as to the effect of certain provisions in the Treaty on the position in Zanzibar.

I now enclose a copy of the memorandum which has been received from the Foreign Office on the subject and sincerely trust that you will be able to assist in the solution of the difficulty.

Yours very truly,

(signed) H. J. Read.

G. L. Beer, Esq.,  
Etc, Etc!, Etc.

✓ 8/P



MEMORANDUM.

In 1913 it became evident to the Administration of Zanzibar that the condition of the streets of the capital was not such as would be tolerated in any civilized community. A Decree was accordingly issued on December 20th of that year, providing for the removal from all premises of "any accumulation of manure, dung, soil or filth" or other similar refuse. A service was also established for the purpose of keeping the streets clean and lighting them by electricity. To meet the cost of these services a rate was instituted by the Decree, chargeable on the gross annual rental value of all premises in the town.

On March 14th, 1914, the United States Consul at Zanzibar protested against the exaction of rates under the Decree from United States citizens on the ground that any such payment was contrary to the freedom from taxation, other than import duties, conceded to United States citizens by Article 6 of the Treaty between the United States and Muscat, Zanzibar being at the date of that Treaty part of the dominions of the Sultan of Muscat.

Similar protests were received from the French, German, Austro-Hungarian, Italian, and Belgian Consuls, who claimed similar immunity for their nationals on the ground that the most favoured nation clauses in their various Treaties with Zanzibar entitled them to the same privileges as those enjoyed by United States citizens. (The German Consul also adduced the Hanseatic League Treaty of 1859 as conferring similar privileges on German subjects, but as that Treaty ceases to be operative as a result of the war, it will present no further inconvenience.)

His Majesty's Government were inclined to doubt whether Article 6 of the United States Treaty, on a strict interpretation, bore the

meaning placed upon it by the United States Consul. In any case they thought it unlikely that the Governments concerned would oppose a measure of sanitation conceived in the best interests of all residents at Zanzibar. They proposed therefore to bring atest action in the Courts against some person refusing to pay the sanitary rate, when further action in the matter was postponed in consequence of the outbreak of war.

At the date of the Decree there were only two United States commercial houses in Zanzibar employing altogether four United States citizens. The matter is therefore of small practical importance to United States interests. As the United States Government have called attention to the inconvenience caused by triple control in Liberia, His Majesty's Government feel that they may properly ask the United States Government to agree to the cancellation of Article 6 of the Treaty of 1833 which imposes on the Government of Zanzibar a form of servitude very detrimental to the maintenance of order and sanitation in the Sultanate.

For convenience of reference the text of Article 6 is quoted below: -

"The citizens of the United States resorting to the ports of the Sultan for the purpose of trade shall have leave to land and reside in the said ports, without paying any tax or imposition whatever for such liberty other than the general duties on imports which the most favoured nation shall pay."

FOREIGN OFFICE.

18th June, 1919.

SOLICITOR'S OFFICE

AUG 2 1919

DEPARTMENT OF STATE

> CA  
SO

NO. 560.

BRITISH EMBASSY,

WASHINGTON,

July 29, 1919.

*Ans 8/9/19  
filed  
1919*

Sir:

I am instructed by His Majesty's Secretary of State for Foreign Affairs to approach you with regard to the Treaty relations between the United States and the British Protectorate of Zanzibar. These, as you are aware, are governed by the Treaty of 1833 concluded by the United States with Muscat of which Zanzibar then was a dependency, modified in 1886, 1902 and 1903; and though its terms were at that time suitable for dealings with a small oriental state, they can be of a nature to cause serious inconvenience to a civilized administration such as is now to be found in the Protectorate.

I have the honour especially to draw attention to Article Six of the Treaty, in virtue of which citizens of the United States are exempt from the payment of any tax or imposition other than general duties on imports. Under this article the United States Consul in 1914 claimed immunity for United States citizens from paying Municipal rates. There were only four such citizens in Zanzibar but the Consuls of other Powers having most favoured nation treatment with the Protectorate claimed the same immunity for their nationals with the result that the Administration was

The Honourable

Robert Lansing,

Secretary of State,

Washington, D.C.

INDEX BUREAU  
711.4812/5

AUG 3 1919



~~was hampered in providing for the services of lighting~~  
and Sanitation.

As ~~this~~ privilege in favour of United States Citizens results in impeding the execution of measures designed in the interest of the whole community, I venture to express the hope that the United States Government will agree to negotiate the cancellation of Article Six of the Treaty.

I have the honour to be

with the highest consideration,

Sir,

your most obedient,

humble servant,

R. C. Lindsay

August 12, 1919.

My dear Mr. Chargé d'Affaires:

In the absence of Mr. Phillips, I beg to acknowledge the receipt of your note, No. 561, of July 29, 1919, regarding the proposed modification of the Treaty of 1833 between the United States and Zanzibar, and to inform you that this matter was brought to the Department's attention by the American Mission at Paris in a telegram dated June 29, 1919. The Department replied to that telegram by a statement to the effect that the reservation made by the American Consul at Zanzibar in 1914 with respect to the payment of taxes by American citizens in Zanzibar was unauthorized by this Government.

The Honorable Ronald C. Lindsay,  
Chargé d'Affaires ad interim of Great Britain.

711.4822/5


A formal note in reply to your No. 560 of July 29,  
1919, is being mailed to you under a separate cover.

I am, My dear Mr. Lindsey,

Very sincerely yours,

So 711.48 v 2/5

GMH:20 DI-1



ALVEY A. ADEE  
AUG 11 1919





No.

August 12, 1919.

Sir:

I have the honor to acknowledge the receipt of your note, No. 560, of July 29, 1919, requesting the consent of this Government to the abrogation of Article 6 of the Treaty of Amity and Commerce concluded between the United States and Muscat on September 21, 1833, which was accepted by the Sultan of Zanzibar after the separation of that state from Muscat. You state that under the provisions of Article 6, by which citizens of the United States are exempt from the payment of any tax or imposition other than general import duties, the United States Consul, in 1914, claimed immunity for citizens of the United States from paying municipal rates; that the Consuls of other Powers having most favored nation

The Honorable Ronald C. Lindsay,

Chargé d'Affaires ad interim of Great Britain.

711.48 2/2 5

treatment with the Protectorate claims the same immunity for their nationals, thus hampering the Administration in providing for the services of lighting and sanitation.

In reply, I beg to inform you that in denying the right of the Zanzibar Government to tax American citizens in 1914, the American Consul acted without instructions from this Government, and upon receipt of a despatch from him reporting his action in the matter, the Department instructed him that it did not claim exemption for American citizens from the payment of a regular and reasonable tax upon real estate which might be paid alike by citizens and foreigners, and which was not discriminative against American citizens.

In the light of the foregoing, it would seem unnecessary to cancel Article 6 of the above-mentioned Treaty in order to meet the wishes of your Government.

Accept, Sir, the renewed assurances of my high consideration.

For the Secretary of State,

WALVEY A. ADEE  
AUG 11 1919

711.48 v 2/5  
GHR:ES

gso.  
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SOLICITOR'S OFFICE  
AUG 2 1919  
DEPARTMENT OF STATE

ASSISTANT SECRETARY  
NO. 551  
AUG 1 1919

INDEX  
AUG 1 1919  
DEPT. OF STATE

July 29, 1919.

ans 8/9/19  
Bill JWH

INDEX BUREAU  
711.4812/6  
AUG 13 1919  
Filed

Dear Mr. Phillips:

I am writing today an official note to the Secretary of State in regard to modifying the Treaty of 1833 between the United States and Muscat which governs relations with Zanzibar.

I understand that this matter was brought up by the British Representatives in Paris in connection with American proposals for a financial protectorate in Liberia. Of this latter proposal I have no details, but the United States Delegation in Paris have reported to the State Department and seemed to expect that the representations I now have the honour to make about Zanzibar might meet with a favourable reception.

Believe me, my dear Mr. Phillips,  
Very sincerely yours,

T. C. Lintley

The Honourable  
William Phillips,  
Department of State,  
Washington, D.C.



DEPARTMENT OF STATE

OFFICE OF THE SOLICITOR

MEMORANDUM

10/11/19

Dear Mr. Adee:

This office sees no objection to the use of the note of August 12 as evidence, I take it that the British are asking permission merely as a matter of courtesy, since they apparently would have a right to use it without our permission. You may, however, be of a different view.

GHN

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SOLICITOR'S OFFICE  
OCT 6 1919  
DEPARTMENT OF STATE

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stated in the note, if called upon.

I have the honour to be

with the highest consideration,

Sir,

Your most obedient,

humble servant,

The Honourable

William Phillips,

Acting Secretary of State of the United States,

Washington, D.C.

SOLICITOR'S OFFICE

BRITISH EMBASSY,

WASHINGTON,

September 1919

RECEIVED  
SEP 27 1919  
ASSISTANT SECRETARY  
SEP 25 1919  
DEPARTMENT OF STATE  
October 14, 1919

1919

and  
10/8/19  
file

to your note of the  
regard to Article  
States and Muscat  
I duly forwarded a  
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Court as evidence of  
the United States  
to enquire whether, in  
to this suggestion, the  
willing to instruct the  
evidence to the effect

711.4822/7

1919

October 4, 1919.

Dear Mr. Hengstler:

This is all wrong for we have no Consul at Zanzibar. Where are the Zanzibar archives? I presume at Nairobi. If so, the Embassy ought to be told that and some suggestion be made as to how the Consul could testify in Zanzibar, pointing out the difficulty of personal attendance.

(It is possible they may find it feasible to utilize a deposition.)

W. J. C.

*File*

*only under of August 12, 1919, to the Charge was written in Washington and the Consul at Zanzibar not having a copy would not be in a position to offer testimony as to the Note itself or its contents at least.*

*The instr. would tell him who he might say.*

*File*

*HCH*

archives are at

Charge of answer his first there is any our Note in If permission it should be given

pointing out the at Nairobi it might be that this Note

SOLICITOR'S OFFICE  
OCT 6 1919  
DEPARTMENT OF STATE

SOLICITOR'S OFFICE

BRITISH EMBASSY,

WASHINGTON,

September 1919.

ASSISTANT SECRETARY  
SEP 25 1919  
DEPARTMENT OF STATE

October 14, 1919.

RECEIVED  
SEP 27 1919

*and 10/8/19 file*

to your note of the regard to Article States and Muscat I duly forwarded a and have now been in the occasion arise, have any objection to ar Courts as evidence of y the United States to enquire whether, in to this suggestion, the willing to instruct the evidence to the effect

*711.4822/7*

*paid Oct 1919*

stated in the note, if called upon.

I have the honour to be

with the highest consideration,

Sir,

Your most obedient,

humble servant,

The Honourable

William Phillips,

Acting Secretary of State of the United States,

Washington, D.C.

## DEPARTMENT OF STATE

## CONSULAR BUREAU

October 4, 1919.

SOLICITOR'S OFFICE  
OCT 6 1919  
DEPARTMENT OF STATE

So:

The Zanzibar archives are at present at Nairobi.

This Note to the Charge of Great Britain does not answer his first question as to whether there is any objection to the use of our Note in the Zanzibar Courts. If permission is to be given for that it should be given by us.

*The Consul would testify only under instructions. The instr. would tell him who he might say.*

In addition to pointing out the difficulty of the Consul at Nairobi testifying in Zanzibar, it might be well to point out also that this Note of August 12, 1919, to the Charge was written in Washington and the Consul at Zanzibar not having a copy would not be in a position to offer testimony as to the Note itself or its contents at least.



HCH

SOLICITOR'S OFFICE  
DEPARTMENT OF STATE  
BRITISH EMBASSY,

WASHINGTON.

September 25 1919  
SEP 25 1919  
ASSISTANT SECRETARY  
DEPARTMENT OF STATE

October 14, 1919.

to your note of the regard to Article States and Muscat I duly forwarded a and have now been in the occasion arise, have any objection to r Courts as evidence of the United States to enquire whether, in to this suggestion, the willing to instruct the evidence to the effect

stated in the note, if called upon.

I have the honour to be

with the highest consideration,

Sir,

Your most obedient,

humble servant,

The Honourable

William Phillips,

Acting Secretary of State of the United States,

Washington, D.C.

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RECEIVED  
SEP 27 1919  
SEP 25 1919  
and 10/8/19  
file

711.4822/7

1919



## Diplomatic Bureau

## MEMORANDUM

October 8.

The original draft of the note to British Embassy was prepared in Di upon the direction of the Solicitor's Office.

SOLICITOR'S DEPT  
SEP 25 1919  
DEPARTMENT OF STATE  
BRITISH EMBASSY,

WASHINGTON,

September 1919.

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SEP 27 1919  
ASSISTANT SECRETARY  
SEP 25 1919  
DEPARTMENT OF STATE  
October 14, 1919.

our to refer to your note of the 2/5) with regard to Article the United States and Muscat 1833, 1883. I duly forwarded a

copy of this note to my Government and have now been instructed to enquire whether, should the occasion arise, the United States Government would have any objection to the use of this note in the Zanzibar Courts as evidence of the interpretation of the Treaty by the United States Government. I am also instructed to enquire whether, in the event of their being objection to this suggestion, the United States Government would be willing to instruct the American Consul at Zanzibar to give evidence to the effect stated in the note, if called upon.

I have the honour to be

with the highest consideration,

Sir,

your most obedient,

humble servant,

The Honourable

William Phillips,

Acting Secretary of State of the United States,

Washington, D.C.

5099

7/11/1919

1919

No. 692

SOLICITOR'S OFFICE  
SEP 27 1919  
DEPARTMENT OF STATE  
BRITISH EMBASSY,

WASHINGTON,

SEP 27 1919  
SEP 25 1919  
ASSISTANT SECRETARY  
DEPARTMENT OF STATE  
October 14, 1919.

INDEX BUREAU  
SEP 25 1919

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SEP 27 1919

40/8/19  
file

Sir:

I have the honour to refer to your note of the 12th ultimo (So 711.48 V. 2/5) with regard to Article VI of the Treaty between the United States and Muscat <sup>21 1833</sup> concluded on September 31, 1833. I duly forwarded a copy of this note to my Government and have now been instructed to enquire whether, should the occasion arise, the United States Government would have any objection to the use of this note in the Zanzibar Courts as evidence of the interpretation of the Treaty by the United States Government. I am also instructed to enquire whether, in the event of their being objection to this suggestion, the United States Government would be willing to instruct the American Consul at Zanzibar to give evidence to the effect stated in the note, if called upon.

I have the honour to be

with the highest consideration,

Sir,

Your most obedient,

humble servant,

The Honourable

William Phillips,

Acting Secretary of State of the United States,

Washington, D.C.

711.48 V. 2/5

14 1919

corrected  
by SO

October 14, 1919.

Excellency:

I have the honor to acknowledge the receipt of the Embassy's note No. 692 of September 24, 1919, in which, with reference to previous correspondence concerning Article VI of the Treaty between the United States and Muscat, concluded September 21, 1833, the Department is informed that your Government desires to learn whether, should the occasion arise, the Government of the United States would have any objection to the use of the Department's note of August 12 in the Zanzibar Court as evidence of the interpretation of the Treaty by the Government of the United States. The Embassy has also been instructed to in-

711. 48 112/4

His Excellency the Right Honorable

The Viscount Grey of Fallodon,

Appointed Ambassador of Great Britain

On Special Mission.



quire whether, in the event of there being objection to this suggestion, the Government of the United States would be willing to instruct the American Consul at Zanzibar to give evidence to the effect stated in the note, if called upon.

In reply I have the honor to say that the Department perceives no objection to the use of the note of August 12 in the manner and for the purpose indicated in the event that occasion therefor should arise. This Government has no Consul at Zanzibar at the present time.

Accept, Excellency, the renewed assurance of my highest consideration.

DC 711.48 V 2/7  
80

SHH

10/11/1918

ALVEY A. ADEE.

OCT 14 1918

SOLICITOR'S DEPT.  
SEP 27 1919

S.O. 1000

694

BRITISH EMBASSY,  
WASHINGTON,

September 25, 1919.

10/2/19  
March 3, 1920.

Sir:

I am instructed by my Government to revert once more to the subject of the Revision of the American Treaty of 1833 with Zanzibar. In your note of August 12th you were good enough to inform me that as the United States Consul in the case of Article 6 had acted without instructions and as the State Department did not claim exemption for citizens from the payment of regular and reasonable taxation, you did not deem it necessary to cancel Article 6 in order to meet the wishes of His Majesty's Government.

7/11/48 262/8

Filed  
MAR 3 1920

The representation made in my note of July 29th was not based on any desire of my Government to complain of the action by the American Consul, but rather on the broad desire to modify a Treaty, completely out of date and of the unsuitability of which to modern requirements I quoted one instance only. That Treaty was concluded with an obscure Oriental Potentate and it was natural that its terms should include stringent stipulations for the protection of American citizens from oppression. But I trust you will agree that such stipulations are not necessary under the present administration, and that His Majesty's Government are only reasonable in requesting to be relieved from them. In urging a reconsideration of the view you have expressed in your note under reply, I beg to support the

The Honourable

William Phillips,

Acting Secretary of State of the United States,

Washington, D.C.

the desire of my Government by adducing more detail than was put forward in my previous note of July 29.

Taking Article 6 as it stands, it is quite appreciated that the United States Government will allow the assessment of American citizens "for the payment of a regular and reasonable tax upon real estate which might be paid alike by citizens and foreigners." These qualifications show the real difficulty of the Protectorate Government. The levying of taxation is subordinate to the assent of the American Government to its reasonableness. The incident of 1914 affords proof that the State Department will exercise its rights in a reasonable manner, but the difficulty assumes more serious proportions when it is realized that other Powers enjoying most favoured nation rights in Zanzibar can claim the same rights of exercising their discretion in the matter even if the United States Government do not claim privilege for their citizens. It is therefore only on sufferance that the Protectorate Government can impose taxes on foreigners; while to tax the native and leave the far wealthier foreign community free would be inequitable. The position of the taxing authority is thus unsound and it is one from which His Majesty's Government are anxious to release it.

Article 2 of the same Treaty of 1833 also raises difficulties in that, except for arms and ammunitions in certain cases, it prevents the Zanzibar Government from prohibiting the importation of any category of goods. Relying on the above Article a foreign Consul at Zanzibar recently protested against the enactment of a law passed to prohibit the importation of pornographic literature and pictures into the Protectorate and it was only in virtue of another Treaty (Article 6 of the

Berlin



Berlin Act) that it was possible to uphold the enactment. While this particular difficulty has been disposed of, the principle of withholding from the Protectorate this sovereign right remains objectionable. If you will remember how important it is for an agricultural community to protect itself against the introduction of plant diseases, you will perhaps realize that the disability under discussion is of more than mere theoretical importance.

The last point in the Treaty which His Majesty's Government would wish to have abrogated is that contained in Article 9 reaffirmed in Article 2 of the Treaty of 1886 with Zanzibar, whereby the personal immunity of Consuls is secured. This stipulation too, it is desired to remove as being unnecessary and it is proposed that it should be replaced by guarantees more in consonance with the relations habitually prevailing between well governed states.

I venture to express the hope that in view of the above facts and arguments the United States Government will find it possible to agree to a readjustment of their Treaty relations with Zanzibar. I need hardly add that for the present obsolete provisions to the continuance of which His Majesty's Government now take exception, they would be willing to substitute guarantees which while freeing the hands of the Zanzibar Protectorate would secure American citizens and interests against all possibility of inequitable treatment.

I have the honour to be

with the highest consideration,

Sir,

your most obedient,

humble servant,

*(The undersigned)*  
J. M. Thompson

No.

*This note was  
drafted and sent  
from S. on Oct 2, 1919.  
It was returned in T.A.  
2/28/20. G.H.H.*

March 8 1920.

S i r:

I have the honor to acknowledge the receipt of your  
note No. 694 of September 26, 1919, with reference to the  
desire of your Government to effect a revision or modifica-  
tion of the Treaty of 1838 between the United States and  
Zanzibar. You call particular attention to certain  
provisions in articles 2, 6 and 9 which your Government  
considers obsolete and for which it would desire to sub-  
stitute guarantees, which while securing American citizens  
and interests against possible inequitable treatment, would  
at the same time be more favorable to the Zanzibar  
protectorate.

In reply I beg to state that without in any way  
committing this Government at the present time to a revision  
of the

The Honorable

Ronald C. Lindsay,

Chargé d'Affaires ad interim  
of Great Britain.

7/11, 48 V 2/8

of the Treaty, the Department will carefully consider  
any proposals looking to that end which your Government  
may desire to submit.

Accept, Sir, the renewed assurances of my high  
consideration..

For the Acting Secretary of State:

ALVEY A. ADEE.

711.48 72/8

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JA.  
HRH

ALVEY A. ADEE.

MAR 1 - 1920

4



3) Eldest sons in families in which the father is less than sixty years of age, and in which there are no other sons more than seventeen years of age; or in which the father is over sixty years of age, or is dead.

Art. 50. The following are exempt from active service: \*\*\*\*\* 6) Recruits who until the age of twenty-five are the sole support of their invalid families, provided they live from the receipts of landed property or their personal earnings and that the direct tax assessed upon them is not in excess of 120 dinars per year \*\*\*\*\*

Art. 51. A soldier or sailor may be relieved from active service before the expiration of his term, under the following circumstances:

\*\*\*\*\* 5) If the Minister of War and Marine deems it necessary and useful in time of peace, to relieve temporarily a certain number of soldiers, either while engaged in the performance of their obligation or before their service has commenced. Such soldiers, however, shall be considered on active service until the expiration of the term of their active obligation.

Art. 52. The active service of a recruit may be postponed in the following cases:

\*\*\*\*\* 2) If such recruits resident abroad are summoned in accordance with Article 45 of this Law, such recruits may be authorized, upon their request, to postpone their active service until the age of twenty-three, if permanently or temporarily residing in Europe but not in neighboring countries, or until the age of twenty-seven if permanently or temporarily residing in transoceanic countries.

Art. 53. Travel expenses for proceeding to their military commands and returning home after the termination of active service, shall be borne by the State in the case of recruits permanently residing outside of Europe, if summoned in accordance with the provisions of paragraph 2 of Article 45 of this Law. All other persons, not so summoned by decision of the Minister of War and Marine, but returning for active service of their own free will, shall bear their own travel expenses.

The means of transportation and maintenance of recruits and persons liable for military service, residents of but returning owing to mobilization and war, shall be to decision of the Prime Minister or recommissioned Minister of War and Marine ....

Art. 327. The military tax constitutes a personal obligation on the part of those of our subjects not personally serving in the Army or Navy and who have not been postponed in accordance with provisions of this Law.

Art. 328. The military tax shall be imposed upon:

.....3) Families,

AM RECD



BRITISH EMBASSY,

WASHINGTON, D.C.,

No. 52.

January 31st, 1929.

FEB 22 1929

July 30 1929

February 25, 1929.

I have the honour to inform you that His

Majesty's Government have recently been considering the question of revising, subject to the consent of the United States Government, articles 2, 3 and 9 of the Treaty of 1833 between the United States and Muscat, insofar as these articles are obsolete and no longer consonant with the proper administration of Zanzibar as a British Protectorate on modern lines. I have now received instructions from His Majesty's Acting Principal Secretary of State for Foreign Affairs to draw your attention to the previous correspondence between His Majesty's Government and the United States Government on the subject and to enquire whether I may assume that your Government are in principle prepared to fall in with the wishes of His Majesty's Government in regard to the modifications of the articles question, as set forth in the concluding paragraphs of this note.

2. It will be remembered that under the terms of the loan made to Liberia in 1913 His Majesty's

Government /

The Honourable

Frank B. Kellogg,

Secretary of State of the United States,

Washington, D.C.

711.4812

JUL 31 1929

FILED



Government, the French and German Governments all acquired the right of nominating a Receiver of Liberian Customs: these three officers functioned under a Receiver General selected by the United States Government. In 1918 Liberia applied to the United States Government for a further loan, and as a preliminary to considering this request, the United States Government enquired whether His Majesty's Government would consent to withdraw the British Receiver, if the loan were made. In a note of September 13th, 1919, to the United States Ambassador in London Lord Curzon agreed to this, subject to certain stipulations which were considered necessary to safeguard British interests in Liberia. The note concluded:-

"In the course of discussions upon this question between the United States and British Peace Delegations at Paris, the latter intimated that this Government would be glad if possible to effect with the United States a simultaneous settlement of certain questions relating to the treaty rights of United States citizens at Zanzibar under the United States-Muscat Treaty of 1833.

"Negotiations to this end are now in progress at Washington, and I have no reason to doubt but that they will be brought to an early and satisfactory conclusion."

3. The history of the negotiations in question at Washington is briefly as follows:-

#530 711.48 V2/5  
In a note of July 29th, 1919, His Majesty's Charge d'Affaires at Washington represented to the United States Government that United States citizens were claiming immunity from the payment of

municipal /



municipal taxes under article VI of the Convention of 1833, and, by so doing, were hampering the municipality of Zanzibar in the lighting and sanitation of the city. He enquired whether the United States Government would agree to cancel article VI of the treaty. To this the United States Government replied on August 12th, 1919, <sup>711.48 V 2/5</sup> that as long ago as 1914 they had instructed the United States Consul that they did not claim exemption for United States citizens from the payment of a "regular and reasonable tax upon real estate". They did not, therefore, regard it as necessary to cancel article VI.

4. In a note dated September 25th, 1919, <sup>711.48 V 2/8</sup> Mr. Lindsay on instructions from His Majesty's Principal Secretary of State for Foreign Affairs, informed the United States Government that His Majesty's Government were desirous of securing the amendment of article 2 of the Treaty, so as to give the Government of Zanzibar a free hand to prohibit the importation of undesirable goods into the Protectorate, and also the abrogation of the personal immunity enjoyed by United States Consular Officers under article 9 of the Treaty and reaffirmed by article 2 of the Treaty of 1886 between the United States and Zanzibar. He made it clear at the same time that the suggestion of His Majesty's Government was not put forward on account of any objection on their part to the past conduct of any

United /

United States Consul, but was merely designed to remove the special exemption which was superfluous under the present settled administration.

711.48 v 2/8  
5. In a note dated March 5, 1920, the State Department replied that they would carefully consider any proposals which His Majesty's Government might desire to submit.

6. The projected United States loan to Liberia, however, never materialised and no further progress was made at the time with the abovementioned proposals of His Majesty's Government in regard to the United States-Muscat Treaty.

7. In 1925 a United States company, the Firestone Rubber Corporation, proposed to the Liberian Government to redeem Liberia's outstanding indebtedness and make a further loan to the Government in return for concessions for growing rubber. One of the conditions of this loan was that a nominee of the United States should be placed in sole control of Liberian Customs. When these proposals became known to His Majesty's Government, Mr. Chilton was instructed to inform the United States Government that so long as His Majesty's Government refrained from exercising their right of appointing a British Receiver of Liberian Customs, they naturally expected that the conditions placed before the United States Ambassador in Lord Curzon's note of the 13th September, 1919, would be observed.

8. In the note which he consequently addressed to the State Department on October 7th, 1925,

882.51/1840  
Mr. Chilton /

Mr. Chilton drew attention to Lord Curzon's note defining the terms on which His Majesty's Government had agreed to the withdrawal of the British Receiver. While thus drawing general attention to these terms, Mr. Chilton did not at the time think fit to make any more definite reference to Zanzibar, the position being that, for the reasons above explained, no definite arrangement in regard to Zanzibar had ever been reached.

9. The proposals made by the Firestone Company in 1925 were adopted by Liberia at the end of 1926.

10. In pursuance of the understanding reached between the two governments in 1919, His Majesty's Government have refrained in the past from re-appointing the British Receiver of Liberian Customs, and they have no doubt, in the light of the above considerations and of the correspondence which took place in 1919 and 1920, particularly the State Department's note of March <sup>2</sup> 3, 1920, referred to in paragraph <sup>5</sup> 4 above, that the United States Government will in their turn be disposed to give favourable consideration to proposals for the revision of treaty articles which, under modern conditions, conflict with the proper administration of the Protectorate of Zanzibar.

11. It would be sufficient for the purposes of His Majesty's Government if the United States Government could see their way to undertake:-

(a) That they will not interpret article IX of the United States-Muscat Treaty of 1833, nor article II of the Treaty of July 3rd, 1886, between the

United /



United States and Zanzibar (so far as the latter article merely re-affirms article IX of the 1833 Treaty) as justifying United States Consular Officers in claiming immunity in the Courts of Zanzibar.

(b) That they will not claim, in virtue of article II of the Treaty, that United States citizens are free to import into Zanzibar articles the importation of which is prohibited by the Protectorate Government, always provided that such prohibition does not discriminate against articles produced in the United States.

(c) That, in the event of the Government of Zanzibar finding it desirable on grounds of public policy to fix prices of food or other commodities, and always provided that such price-fixing measures do not involve discrimination against articles produced in the United States, they will not regard as operative the clause in article II of the 1833 Treaty prohibiting the establishment by the Sultan or his officers of any fixed price on articles to be sold by merchants of the United States or on merchandise which the latter may wish to purchase.

12. In putting forward the first of the above requests, I am once more to explain that this proposal on the part of His Majesty's Government is not made on account of any objection to the conduct of any United States Consul in Zanzibar, but is merely designed to remove a special

exemption /

exemption which is superfluous under the present settled administration of the Protectorate.

13. As regards article 3 of the United States-Muscat Treaty, I am to offer the following observations on the part of my Government and to request you to be so good as to confirm to me on behalf of the United States Government that the assumptions of His Majesty's Government are correct.

14. His Majesty's Government have hitherto regarded themselves as at liberty to approve the increase by the Zanzibar Government of rates of import duty into the Protectorate, in accordance with the spirit of the convention of St. Germain-en-Laye, the purpose of which was to revise the restrictive provisions of the earlier Act of Berlin and Declaration of Brussels so as to enable sufficient revenues to be raised for the proper administration of certain parts of Africa in accordance with changed conditions and upon modern lines. The United States were not parties to the Act of Berlin nor, consequently, to the Declaration of Brussels, nor were they parties to the convention of St. Germain-en-Laye. Nevertheless His Majesty's Government assume that the United States Government do not, under present circumstances, insist upon the limitation to a maximum of ten per cent ad valorem, in accordance with the terms of article 1 of the Convention of the 31st May, 1902, between Great Britain and the United States of the import duties upon merchandise

imported /

imported into the Protectorate. On similar grounds His Majesty's Government assume that the United States Government do not insist, in virtue of article III of the Treaty of September 21st, 1833, between the United States and Muscat, on the limitation of export duties raised by the Zanzibar Government.

I have the honour to be,

with the highest consideration,

Sir,

Your most obedient,

humble servant,

*James Howard*



DEPARTMENT OF STATE

DIVISION OF WESTERN EUROPEAN AFFAIRS

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Mr. Shaw:

I would prefer to have  
the commencement of the new  
Gyan Division in this case  
begin initialing

P.B.S.

18 Feb.

to Liberia.

WE:HC

representatives of the most favored nation in the  
Sultanate of Zanzibar. In addition the United States  
has concluded three treaties with Great Britain, as  
protector of Zanzibar. These treaties, which bear  
the dates of 1902, 1903 and 1905, relate, respectively,  
to import duties, light and harbor dues, and extra-

DEPARTMENT OF STATE

DIVISION OF WESTERN EUROPEAN AFFAIRS

February 16, 1929

*file* ~~FILE~~

Mr. Castle:

AIRS

February 19, 1929

The bargain to which Sir Esme refers, namely that the British would keep their hands off Liberia if we would revise the Muscat treaty was never so explicit as might be inferred from this Note. To be sure Great Britain refrained from naming a Liberian Receiver under the 1912 Loan but with the extinction of that loan her right to do so vanished. Other factors than Muscat entered into the British decision not to name a Receiver, and as a matter of fact I do not recall that we ever acquiesced in Lord Curzon's proposal. Their present suggestion that we owe them something on that account does not seem well taken and should be totally ignored in determining whether we should or should not accept revisions of the Muscat treaty. The proposed revisions should be studied purely from the light of American interests and the customary considerations of comity, but in our negotiations we should totally ignore all reference to Liberia.

Zanzibar, which includes to the north and east of Tanganyika the consular district directly concern the Sultan of Muscat was after the separation confirmed and confirmed

Another treaty initiated in 1886; to Muscat, changed in regard to the and secured for our the privileges and of 1833, any rights, to the consular

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representatives of the most favored nation in the Sultanate of Zanzibar. In addition the United States has concluded three treaties with Great Britain, as protector of Zanzibar. These treaties, which bear the dates of 1902, 1903 and 1905, relate, respectively, to import duties, light and harbor dues, and extra-

TREATY DIVISION

FEB 19 1929

DEPARTMENT OF STATE

DEPARTMENT OF STATE

DIVISION OF NEAR EASTERN AFFAIRS

February 19, 1929

Mr. Shaw:

The British Protectorate of Zanzibar, which includes the island of that name, is located to the north and east of Dar-es-Salam in the British Mandate of Tanganyika Territory. It is included within the consular district of Nairobi and consequently does not directly concern this division.

Our treaty of 1833 with the Sultan of Muscat was accepted by the Sultan of Zanzibar after the separation of that State from Muscat and was ratified and confirmed by the Sultan of Zanzibar in 1879. Another treaty with the Sultan of Zanzibar was negotiated in 1886; this convention, which did not apply to Muscat, changed Article III of the treaty of 1833 in regard to the import duties on alcoholic liquors and secured for our consular officers, in addition to the privileges and immunities obtained by the Treaty of 1833, any rights, privileges, and immunities accorded to the consular representatives of the most favored nation in the Sultanate of Zanzibar. In addition the United States has concluded three treaties with Great Britain, as protector of Zanzibar. These treaties, which bear the dates of 1902, 1903 and 1905, relate, respectively, to import duties, light and harbor dues, and extra-

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DEPARTMENT OF STATE

DIVISION OF NEAR EASTERN AFFAIRS

-2-

territoriality in Zanzibar.

In other words the provisions of the original treaty of 1833 with Muscat have been altered considerably insofar as they apply to Zanzibar. As far as I can learn, however, the provisions of the original treaty remain intact in Muscat itself.

The question now brought up by the British Embassy in regard to Zanzibar therefore would not appear to come within the jurisdiction of this division. It is suggested, however, that when the final reply to the Embassy is drafted it be made clear that the rights that we may relinquish in Zanzibar do not apply to Muscat, which should have entirely separate treatment.

Caucas

9 Caucas  
WE  
PMA

MA  
PEA/-

February 25, 1929.

Excellency:

I have the honor to acknowledge the receipt of your Note No. 53 of January 31, 1929, bringing to my attention certain particulars in which His Majesty's Government desires to have Articles 2, 3 and 9 of the Treaty of Amity and Commerce of 1835 between the United States and Muscat revised in so far as concerns the British Protectorate of Zanzibar.

You inquire whether you may assume that this Government is prepared to accept in principle the modifications of these articles proposed by His Majesty's Government in the concluding paragraphs of your note.

In reply I have the honor to inform you that sympathetic consideration will be given to the proposals made by His Majesty's Government and that I shall be glad to inform you at as early a date as possible of the views

His Excellency  
The Right Honorable  
Sir Esmé Howard, G.C.M.G., K.C.B., C.V.I.,  
Ambassador of Great Britain.

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the views which this Government entertains in regard  
to them after it shall have given consideration to  
them.

Accept, Excellency, the renewed assurances of  
my highest consideration.

FRANK B. KELLOGG

A true copy of  
the signed orig-  
inal. *M*

*W. C. C.*

711.48V2/9

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*E. M. P.*

*SO*  
*G. H. A.*

WE

*[Signature]*

CR

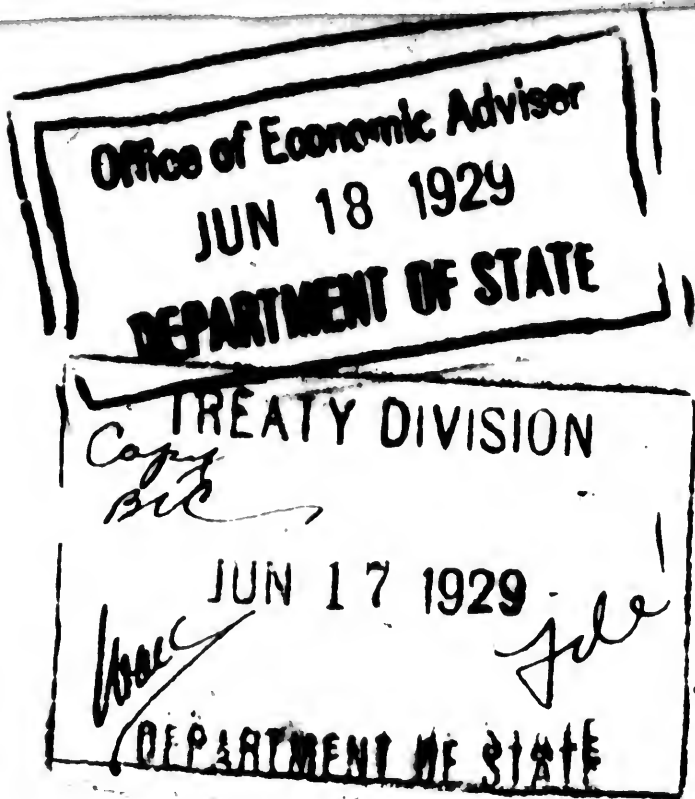
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No. 327.



JUN 17 1929



His Britannic Majesty's Ambassador presents his compliments to the Secretary of State and, with reference to Mr. Kellogg's note No. 711.48V2<sup>40</sup> of February 25th last, has the honour to enquire whether he may shortly expect to be apprised of the views of the United States Government in regard to the proposals of His Majesty's Government for the revision of certain articles in the Treaty of 1833 between the United States and Muscat.

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BRITISH EMBASSY,

WASHINGTON, D.C.,

June 15th, 1929.

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TREATY DIVISION

JUL 29 1929

DEPARTMENT OF STATE

August 5 1929

His Britannic Majesty's Ambassador  
presents his compliments to the Secretary  
of State and, with reference to Mr. Kellogg's  
note No. 711.48V2<sup>160</sup> of February 25th last,  
has the honour to enquire whether he may  
shortly expect to be apprised of the views  
of the United States Government in regard  
to the proposals of His Majesty's Government  
for the revision of certain articles in the  
Treaty of 1833 between the United States  
and Muscat.

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BRITISH EMBASSY

WASHINGTON, D.C.,

July 25th, 1929

J. W. F.

The Secretary of State presents his compliments to His Excellency the Ambassador of Great Britain and, with reference to the Ambassador's notes No. 418 of July 25, 1929, and No. 52 of January 31, 1929, concerning the revision of the treaty of 1833 between the United States and Muscat in its application to the Zanzibar Protectorate, has the honor to say that the matter is receiving consideration by the appropriate authorities of this Government and that an expression of the views of this Government on the proposals of His Majesty's Government will be communicated to the Ambassador as soon as practicable.

711.48 V 2/12

Department of State,

Washington,

August 5., 1929

711.48 V 2/12

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Aug 5 1929  
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WRC

A true copy of the signed original.



FA

July 30, 1929

Charles H. Albrecht, Esquire,  
American Consul,  
Nairobi, Kenya, East Africa.

Sir:

The British Government has recently proposed certain modifications in the terms of the Treaty between the United States and Muscat (1 Malloy 1228) in its application to the Zanzibar Protectorate. The provisions requested to be revised are alleged to be obsolete and no longer consonant with the administration of the Protectorate along modern lines. For your confidential information the following excerpt is taken from a note received from the British Embassy in this connection.

7/11.48 V 2/12

"It would be sufficient for the purposes of His Majesty's Government if the United States Government could see their way to undertake:-

"(a) That they will not interpret article IX of the United States-Muscat Treaty of 1833, nor article II of the Treaty of July 3rd, 1886, between the United States and Zanzibar (so far as the latter article merely re-affirms article IX of the 1833 Treaty) as justifying United States Consular Officers in claiming immunity in the Courts of Zanzibar.

"(b) That they will not claim, in virtue of article II of the Treaty, that United States citizens are free to import into Zanzibar articles the importation of which is prohibited by the Protectorate Government, always provided that such prohibition does not discriminate against articles produced in the United States.

"(c) That, in the event of the Government of Zanzibar finding it desirable on grounds of public policy to fix prices of food or other commodities, and always provided that such price-fixing measures

do not

do not involve discrimination against articles produced in the United States, they will not regard as operative the clause in article II of the 1833 Treaty prohibiting the establishment by the Sultan or his officers of any fixed price on articles to be sold by merchants of the United States or on merchandise which the latter may wish to purchase.

"In putting forward the first of the above requests, I am once more to explain that this proposal on the part of His Majesty's Government is not made on account of any objection to the conduct of any United States Consul in Zanzibar, but is merely designed to remove a special exemption which is superfluous under the present settled administration of the Protectorate.

"As regards article 3 of the United States-Muscat Treaty, I am to offer the following observations on the part of my Government and to request you to be so good as to confirm to me on behalf of the United States Government that the assumptions of His Majesty's Government are correct.

"His Majesty's Government have hitherto regarded themselves as at liberty to approve the increase by the Zanzibar Government of rates of import duty into the Protectorate, in accordance with the spirit of the convention of St. Germain-en-Laye, the purpose of which was to revise the restrictive provisions of the earlier Act of Berlin and Declaration of Brussels so as to enable sufficient revenues to be raised for the proper administration of certain parts of Africa in accordance with changed conditions and upon modern lines. The United States were not parties to the Act of Berlin nor, consequently, to the Declaration of Brussels, nor were they parties to the convention of St. Germain-en-Laye. Nevertheless His Majesty's Government assume that the United States Government do not, under present circumstances, insist upon the limitation to a maximum of ten per cent ad valorem, in accordance with the terms of article I of the Convention of the 31st May, 1902, between Great Britain and the United States of the import duties upon merchandise imported into the Protectorate. On similar grounds His Majesty's Government assume that the United States Government do not insist, in virtue of article III of the Treaty of September 21st, 1833, between the United States and Muscat, on the limitation of export duties raised by the Zanzibar Government."

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The Department will appreciate a detailed report from you at the earliest practicable time giving an expression of your views in regard to the proposals of the British Government.

Copies of several relevant treaties are enclosed.

I am, Sir,

Your obedient servant,

For the Secretary of State:

W. R. CASTLE, JR.

Enclosures:

Treaty Series 247, 376,  
414, 429, and 446.

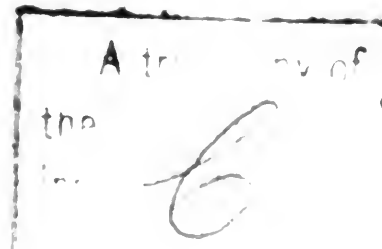
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DEPARTMENT OF STATE  
TREATY DIVISION

MEMORANDUM

TREATY DIVISION

AUG 1 1929

March 14, 1929.

Mr. Barnes:

I am of the opinion that this Government should agree to the modification of certain provisions of the Muscat Treaty in its application to the Zanzibar Protectorate where it is clear that such provisions are obsolete and no longer consonant with the administration of the Protectorate properly and where adequate guarantees are substituted against inequitable treatment of American citizens and their interests.

In the British Ambassador's note No. 52 of January 31, 1929, he advances certain propositions which indicate the objectives of his Government and are as follows: that this Government will agree:

"(a) That they will not interpret article IX of the United States-Muscat Treaty of 1833, nor article II of the Treaty of July 3rd, 1886, between the United States and Zanzibar (so far as the latter article merely re-affirms article IX of the 1833 Treaty) as justifying United States Consular Officers in claiming immunity in the Courts of Zanzibar.

"(b) That they will not claim, in virtue of article II of the Treaty, that United States citizens are free to import into Zanzibar articles the importation of which is prohibited by the Protectorate Government, always provided that such prohibition does not discriminate against articles produced in the United States.

"(c)

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## TREATY DIVISION

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"(c) That, in the event of the Government of Zanzibar finding it desirable on grounds of public policy to fix prices of food or other commodities, and always provided that such price-fixing measures do not involve discrimination against articles produced in the United States, they will not regard as operative the clause in article II of the 1833 Treaty prohibiting the establishment by the Sultan or his officers of any fixed price on articles to be sold by merchants of the United States or on merchandise which the latter may wish to purchase."

It would seem to me that before we further consider this matter, we should consult Consul Charles H. Albrecht, who appears to be our senior representative in the Nairobi district which includes the Zanzibar Protectorate. His views on the above propositions would doubtless be very useful to the Department before taking action. If an instruction is approved I shall be glad to prepare it.

This Government has heretofore agreed by separate treaties to other modifications of the Muscat Treaty in its application to Zanzibar (see treaty series 414, 429 and 446 herewith attached). If the Department should find it feasible to agree to new arrangements affecting our relations with the Zanzibar Protectorate which may differ from the terms of existing treaties, I am of the opinion that it would be better to make new treaties superseding the older ones. In other words, the method suggested

DEPARTMENT OF STATE  
                      
TREATY DIVISION

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'suggested by the British note for the United States Government not to interpret certain articles as meaning thus and so, or not to claim certain things by virtue of certain existing treaty articles, would seem to be less desirable procedure.

*JK*

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TREATY SERIES, No. 247

# TREATY

BETWEEN

THE UNITED STATES AND MUSCAT

## AMITY AND COMMERCE

SIGNED AT MUSCAT, SEPTEMBER 21, 1833

RATIFICATION ADVISED BY THE SENATE, JUNE 23, 1834

RATIFICATIONS EXCHANGED AT MUSCAT, SEPTEMBER 30, 1835

PROCLAIMED, JUNE 24, 1837

WASHINGTON  
GOVERNMENT PRINTING OFFICE  
1914

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA  
A PROCLAMATION

Whereas a Treaty of Amity and Commerce between the government of the United States of America and His Majesty Seyed Syeed bin Sultan of Muscat, and his Dependencies, was concluded and signed at the city of Muscat in the Kingdom of Aman, on the twenty-first day of September, in the year of our Lord one thousand eight hundred and thirty-three, which Treaty is word for word as follows;

*A Treaty of Amity and Commerce, between the United States of America and His Majesty Seyed Syeed Bin Sultan of Muscat and His Dependencies.*

ARTICLE I. There shall be a perpetual Peace between the United States of America and Seyed Syeed bin Sultan and his dependencies.

2. The Citizens of the United States shall have free liberty to enter all the Ports of His Majesty Seyed Syeed bin Sultan, with their Cargoes of whatever kind the said cargoes may consist, & they shall have the liberty to sell the same, to any of the subjects of the Sultan, or others who may wish to buy the same, or to barter the same for any produce or manufactures of the Kingdom, or other articles that may be found there—no price shall be fixed by the Sultan or his Officers on the articles to be sold by the Merchants of the United States, or the merchandize they may wish to purchase—but the trade shall be free on both sides, to sell, or buy, or exchange on the terms, & for the prices the owners may think fit—and whenever the said Citizens of the United States may think fit to depart they shall be at liberty so to do—and if any Officer of the Sultan shall contravene this Article, he shall be severely punished. It is understood & agreed however, that the articles of Muskets, Powder and Ball can only be sold to the Government in the Island of Zanzibar—but in all the other ports of the Sultan, the said munitions of war may be freely sold, without any restrictions whatever to the highest bidder.

3. Vessels of the United States entering any port within the Sultan's dominions, shall pay no more than Five per centum Duties on the Cargo landed; and this shall be in full consideration of all

import & export duties, tonnage, license to trade, pilotage, anchorage, or any other charge whatever. Nor shall any charge be paid on that part of the cargo which may remain on board unsold, & re-exported—nor shall any charge whatever be paid on any vessel of the United States which may enter any of the Ports of His Majesty for the purpose of re-fitting, or for refreshments, or to enquire the state of the market.

4. The American Citizen shall pay no other duties on export or import, tonnage, license to trade, or other charge whatsoever, than the nation the most favored shall pay.

5. If any vessel of the United States shall suffer Shipwreck on any part of the Sultans Dominions, the persons escaping from the wreck shall be taken care of and hospitably entertain'd at the expense of the Sultan, until they shall find an opportunity to be return'd to their country—for the Sultan can never receive any remuneration whatever for rendering succour to the distress'd—and the property saved from such wreck, shall be carefully preserv'd and delivered to the owner, or the Consul of the United States, or to any authorized Agent.

6. The Citizens of the United States resorting to the Ports of the Sultan for the purpose of trade, shall have leave to land, & reside in the said Ports, without paying any tax or imposition whatever for such liberty, other than the General Duties on Imports which the most favored nation shall pay.

7. If any citizens of the United States, or their vessels, or other property shall be taken by Pirates, and brought within the Dominions of the Sultan, the persons shall be set at liberty, and the property restored to the owner if he is present, or to the American Consul, or to any authorized agent.

8. Vessels belonging to the subjects of the Sultan which may resort to any port in the United States, shall pay no other or higher rate of Duties, or other charges, than the nation the most favored shall pay.

9. The President of the United States may appoint Consuls to reside in the Ports of the Sultan where the principal commerce shall be carried on; which Consuls shall be the exclusive judges of all disputes or suits wherein American Citizens shall be engaged with each other. They shall have power to receive the property of any American Citizen dying within the Kingdom, and to send the same to his heirs, first paying all his debts due to the subjects of the Sultan. The said Consuls shall not be arrested, nor shall their property be seized.

Nor shall any of their household be arrested, but their persons, and property, & their houses, shall be inviolate—Should any Consul



however, commit any offence against the laws of the Kingdom, complaint shall be made to the President who will immediately displace him.

Concluded, Signed and Sealed, at the Royal Palace in the City of Muscat in the Kingdom of Aman the twenty first day of September in the year One thousand, Eight hundred, & Thirty three of the Christian Era, & the Fifty Seventh year of the Independence of the United States of America, corresponding to the Sixth day of the Moon called Iamada Alawel, in the year of the Allhajra (Hegira) Twelve hundred and Forty Nine.

EDMUND ROBERTS [Seal.]

Whereas the undersigned Edmund Roberts a Citizen of the United States of America, and a resident of Portsmouth in the State of New Hampshire, being duly appointed a Special Agent by Letters Patent, under the Signature of the President and Seal of the United States of America, bearing date at the City of Washington the twenty sixth day of January, Anno Domini One thousand, eighth hundred & thirty two, for negotiating & concluding a Treaty of Amity and Commerce between the United States of America, and His Majesty Seyed Syeed bin Sultan of Muscat. Now Know Ye, That I Edmund Roberts, Special Agent as aforesaid, do conclude the foregoing Treaty of Amity & Commerce, and every Article & Clause therein contain'd, reserving the same nevertheless, for the final ratification of the President of the United States of America, by and with the advice & consent of the Senate of the United States.

Done at the Royal Palace, in the City of Muscat, in the Kingdom of Aman, on the twenty first day of September in the year of our Lord One thousand, eight hundred & thirty three, and of the Independence of the United States of America, the Fifty Seventh, corresponding to the Sixth day of the Moon, called Iamada Alawel, in the Year of Allhajra (Hegira) one thousand two hundred and Forty nine

EDMUND ROBERTS.

And whereas the said Treaty has been duly ratified on both parts, and the respective ratifications of the same were exchanged at the city of Muscat, on the thirtieth day of September, one thousand eight hundred and thirty-five;

Now, therefore, be it known, That I, Martin Van Buren, President of the United States have caused the said Treaty to be made public, to the end that the same, and every clause

and article thereof, may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand, and caused the Seal of the United States to be affixed.

Done at the city of Washington this twenty fourth day of June, in the year of our Lord one  
[SEAL.] thousand eight hundred and thirty-seven, and of the Independence of the United States the sixty first.

M. VAN BUREN

By the President:

JOHN FORSYTH

*Secretary of State.*

# ZANZIBAR: IMPORT DUTY AND CONSULS.

## CONVENTION

BETWEEN

THE UNITED STATES OF AMERICA AND ZANZIBAR,  
ENLARGING AND DEFINING STIPULATIONS OF THE TREATY OF SEP-  
TEMBER 21, 1833.

*Concluded at Zanzibar, July 3, 1886.*

*Ratification, with amendments, advised by the Senate, April 12, 1888.*

*Ratified by the President April 20, 1888.*

*Ratifications exchanged June 29, 1888.*

*Proclaimed August 17, 1888.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA,

### A PROCLAMATION.

Whereas a Convention between the United States of America and His Highness Barghash bin Saïd, Sultan of Zanzibar, was concluded July 3, 1886, enlarging and defining the stipulations of the Treaty of September 21, 1833, between the United States of America and His Majesty Seyéd Saïd Bin, Sultan of Muscat and Sovereign of Zanzibar, which Convention, as amended by the Senate of the United States is word for word as follows:

The Government of the United States of America and His Highness Barghash bin Saïd Sultan of Zanzibar, being mutually desirous to confirm and strengthen the friendly relations which now subsist between the two countries by enlarging and defining the treaty stipulations already existing between them in virtue of the Treaty concluded on the 21st of September 1833, corresponding to the sixth day of the moon called Jamada Alawel in the year of the Allhajia 1249, between the United States of America and His Majesty Seyed Syed bin Sultan of Muscat (and Sovereign of Zanzibar), which Treaty has continued in force as to Zanzibar, and its dependencies after the separation of Zanzibar from Muscat, and has been expressly accepted, ratified and confirmed by His said Highness Barghash bin Saïd, Sultan of Zanzibar on the 20<sup>th</sup> of October 1879, corresponding to the 4<sup>th</sup> Zulkaadi, 1296, have resolved to conclude an additional treaty to that end and have appointed as their Plenipotentiaries to wit:—

The President of the United States of America, Frederic M. Cheney, Consul of the United States at Zanzibar, and His Highness the Sultan



of Zanzibar his private secretary Mohamet Salim bin Mahommed Al Mavli, who having exhibited to each other their respective full powers, found in good and due form, have agreed upon and concluded the following articles.

#### ARTICLE I.

Notwithstanding the provisions of Article III of the treaty above-mentioned, by which no more than five *per centum* duties shall be paid on the cargo landed from vessels of the United States entering any port within His Highness the Sultan's dominions, spirits and spirituous liquors containing more than 20 *per centum* by volume of alcohol, when imported into the dominions of His Highness the Sultan from abroad in vessels of the United States, shall be subject to an entry or import duty not exceeding 25 *per centum ad valorem*. Provided that no other or higher import duties shall be so levied and collected upon spirits carried to Zanzibar in vessels of the United States than are levied and collected upon like imports of spirits in the vessels of any other nation.

#### ARTICLE II.

X The Consuls of the United States appointed under the stipulations of the IX<sup>th</sup> article of the treaty above mentioned, shall in addition to the rights, powers and immunities secured by said article, enjoy all the rights, privileges, immunities and jurisdictional powers which are now or may hereafter be enjoyed by the Consuls and Consular Agents of the most favored nations and conversely, the Consuls and Consular Agents which His Highness the Sultan may appoint to reside in the United States shall have the treatment of Agents of like grade of the most favored nation. X

#### ARTICLE III.

This Treaty shall be ratified and the ratifications exchanged at Zanzibar, as soon as possible.

Done in duplicate each copy being in the English and Arabic languages, at Zanzibar the third day of July 1886, corresponding to the thirtieth day of the moon called Ramajan in the year of the Hegira, 1303.

FREDERIC M. CHENEY (SEAL)

MOHAMET SALIM BIN MAHOMMED

ALI MAVLI. (SEAL)

And whereas the said Convention has been duly ratified on both parts, and the ratifications of the two Governments were exchanged at Zanzibar the twenty-ninth day of June, one thousand eight hundred and eighty-eight;

Now, therefore, be it known that I, Grover Cleveland, President of the United States of America, have caused the said Convention, as amended, to be made public, to the end that the same, and every article and clause thereof, may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

In witness whereof, I have hereunto set my hand, and caused the seal of the United States to be affixed.

Done at the City of Washington this 17<sup>th</sup> day of August, in the year  
of our Lord one thousand eight hundred and eighty-eight, and  
[SEAL] of the Independence of the United States the one hundred  
and thirteenth.

GROVER CLEVELAND

By the President:

T. F. BAYARD

*Secretary of State.*

## GREAT BRITAIN—IMPORT DUTIES IN ZANZIBAR.

## T R E A T Y

BETWEEN

## THE UNITED STATES AND GREAT BRITAIN

CONCERNING

## THE ESTABLISHMENT OF IMPORT DUTIES IN ZANZIBAR.

*Signed at Washington May 31, 1902.**Ratification with amendment advised by the Senate June 30, 1902.**Ratified by the President July 22, 1902.**Ratified by Great Britain August 27, 1902.**Ratifications exchanged at Washington October 17, 1902.**Proclaimed October 17, 1902.*THEODORE ROOSEVELT, PRESIDENT OF THE UNITED STATES OF  
AMERICA.*To all to whom these Presents shall come, Greeting:*

Know Ye, that whereas a Convention between the United States of America and Great Britain, concerning the establishment of import duties in that portion of the Dominions of His Highness the Sultan of Zanzibar which is under the protection of Great Britain, was concluded at Washington on the 31st. of May, one thousand, nine hundred and two, the original of which Convention is, as amended by the Senate of the United States, word for word as follows:

The United States of America and His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, acting in the name of His Highness the Sultan of Zanzibar, have, for the purposes herein-after stated, appointed their respective Plenipotentiaries, namely:

The President of the United States of America, the Honorable John Hay, Secretary of State of the United States of America; and

His Britannic Majesty, Arthur Stewart Raikes, Esquire, His Britannic Majesty's Chargé d'Affaires.

Who, after having communicated each to the other their respective full powers in good and due form, have agreed upon the following Articles:

## ARTICLE I.

Recognizing that it is just and necessary to facilitate to that portion of the dominions of His Highness the Sultan of Zanzibar which is



under the protection of Great Britain, and which is situated in the basin of the Congo, as defined by the General Act of the African Conference at Berlin of February 26th, 1885, the accomplishment of the obligations which it has contracted by virtue of the General Act of Brussels of July 2nd, 1890, the United States waives any objection on its part to the collection of import duties upon merchandise imported into that Protectorate.

The tariff of these duties, as provided in the Declaration of Brussels bearing the same date as the said General Act of Brussels, for the period of fifteen years next ensuing from that date, is not to exceed ten per centum of the value of the merchandise at the port of importation, except for spirits and for firearms and ammunition, which are regulated by the General Act of Brussels.

At the expiration of the said period of fifteen years, and in default of a new agreement, the United States will, with respect to this subject, be restored to the relations with the said Protectorate which existed prior to the Conclusion of this Convention, the right to impose thereafter import duties to a maximum of ten per centum upon merchandise imported into the said Protectorate remaining acquired to the latter so long only as it shall continue to comply with the conditions and limitations stated in this Convention.

#### ARTICLE II.

The United States shall enjoy in the said Protectorate as to import duties all the advantages accorded to the most favored nation.

Neither differential treatment nor transit duty shall be established in said Protectorate.

In the application of the tariff régime of the said Protectorate, the formalities and operations of commerce shall be simplified and facilitated so far as possible.

#### ARTICLE III.

Considering the fact that in Article I of this Convention the United States has given its assent under certain conditions to the establishment of import duties in that portion of the Dominions of His Highness the Sultan of Zanzibar which is under the protection of Great Britain, it is well understood that the said Protectorate assures to the flag, to the vessels, to the commerce, and to the citizens and inhabitants of the United States, in all parts of the territory of that Protectorate, all the rights, privileges and immunities concerning import and export duties, tariff régime, interior taxes and charges and, in a general manner, all commercial interests, which are or shall be accorded to the signatory Powers of the Act of Berlin, or to the most favored nation.

This Convention shall be ratified, and the ratifications shall be exchanged at Washington as soon as may be and within twelve months from the date hereof.

Done in duplicate at Washington this thirty-first day of May, in the year of our Lord one thousand nine hundred and two.

JOHN HAY [SEAL.]  
ARTHUR S. RAIKES [SEAL.]

And whereas the Convention has been duly ratified, as amended, on both parts, and the ratifications of the two Governments were exchanged

in the city of Washington on the 17th. day of October, one thousand, nine hundred and two:

Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, have caused the said Convention, as amended, to be made public to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this seventeenth day of October, in the year of Our Lord one thousand nine hundred and two

[SEAL] and of the Independence of the United States, ~~the one~~ hundred and twenty-seventh.

THEODORE ROOSEVELT

By the President:

JOHN HAY

*Secretary of State.*

GREAT BRITAIN—LIGHT AND HARBOR DUES IN ZANZIBAR.

**TREATY**

BETWEEN

**THE UNITED STATES AND GREAT BRITAIN, ACTING IN THE  
NAME OF THE SULTAN OF ZANZIBAR,**

AMENDING

**THE TREATY OF AMITY AND COMMERCE CONCLUDED SEPTEMBER  
21, 1833, BETWEEN THE UNITED STATES AND THE SULTAN OF  
MUSCAT, SO AS TO PERMIT THE IMPOSITION OF LIGHT AND HAR-  
BOR DUES ON VESSELS OF THE UNITED STATES ENTERING THE  
PORTS OF ZANZIBAR AND PEMBA.**

*Signed at Washington, June 5, 1903.*

*Ratification advised by the Senate, November 25, 1903.*

*Ratified by the President, December 8, 1903.*

*Ratified by Great Britain, June 30, 1903.*

*Ratifications exchanged at Washington, December 24, 1903.*

*Proclaimed, December 24, 1903.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

**A PROCLAMATION.**

Whereas a Treaty between the United States of America, and Great Britain acting in the name of His Highness the Sultan of Zanzibar, providing for the imposition of light and harbor dues on vessels of the United States entering the ports of Zanzibar and Pemba, was concluded and signed by their respective Plenipotentiaries at Washington, on the fifth day of June, one thousand nine hundred and three, the original of which Treaty, being in the English language is word for word as follows:

Whereas it is provided by Article III of the Treaty of Amity and Commerce concluded September 21st 1833, between the United States of America and His Highness the Sultan of Muscat, which treaty was accepted by His Highness the Sultan of Zanzibar after the separation of that state from the jurisdiction of Muscat, that vessels of the United States entering any ports of the Sultan's dominions shall pay no more than five per centum duties on the cargo landed; and this shall be in full consideration of all import and export duties, tonnage, license to trade, pilotage, anchorage, or any other charge whatever;

And whereas no provision is made in the above mentioned treaty nor

in any subsequent agreement for the payment of light and harbor dues in the dominions of His Highness the Sultan;

And whereas the United States of America and His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, acting in the name of His Highness the Sultan of Zanzibar are desirous, in the interest of commerce, of so amending the said Article III of the said Treaty of Amity and Commerce of September 21st 1833, as to permit the imposition of light dues at the rate of one anna upon every registered ton, with an added harbor due of one anna upon every registered ton, on vessels of the United States entering the ports in the islands of Zanzibar and Pemba;

Now, therefore, the High Contracting Parties have to that end resolved to conclude a convention, and have for this purpose appointed their plenipotentiaries, to wit:

The President of the United States of America, John Hay, Secretary of State of the United States; and

His Britannic Majesty, The Right Honorable Sir Michael H. Herbert, G.C.M.G., C.B., His Majesty's Ambassador Extraordinary and Plenipotentiary;

Who, having exhibited each to the other their respective full powers which were found to be in due and proper form, have agreed upon the following articles:

#### ARTICLE I.

It is understood and agreed between the High Contracting Parties that nothing contained in said Article III of the said Convention of September 21st 1833, shall be construed as preventing the imposition on and collection from vessels of the United States entering any port in the islands of Zanzibar and Pemba of a light due of one anna per registered ton and an added harbor due of one anna per registered ton, His Britannic Majesty, acting in the name of His Highness the Sultan of Zanzibar, engaging that the light and harbor dues so imposed and collected shall be applied to the construction and maintenance of lighthouses and buoys for the proper lighting of the coasts of the said islands.

#### ARTICLE II.

It is further understood and agreed between the High Contracting Parties that the consent of the United States to the imposition and collection of the light and harbor dues aforesaid is given on the conditions:—

1. That really adequate lighthouses are provided and maintained; also that lights shall be placed upon the buoys when required by American vessels entering or leaving the harbor of Zanzibar at night.

2. That accounts of the receipts and expenditure of the dues are carefully kept and published.

3. That provision be made for the reduction of the dues if they should hereafter become disproportionate to the expenditure.

4. That the consent of all the other Powers having treaties with Zanzibar be given to the imposition of the said light and harbor dues on their vessels, and that vessels of the United States be subject to no differential treatment.



## ARTICLE III.

The present convention shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by his Britannic Majesty, and the ratifications shall be exchanged in the City of Washington as soon as practicable.

In witness whereof the respective plenipotentiaries have signed the same, and have affixed thereto their respective seals.

Done at the City of Washington, this fifth day of June, in the year one thousand nine hundred and three.

JOHN HAY [SEAL.]  
MICHAEL H. HERBERT [SEAL.]

And whereas the said Treaty has been duly ratified on both parts, and the ratifications of the two governments were exchanged in the City of Washington, on the 24th day of December, one thousand nine hundred and three;

Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, have caused the said Treaty to be made public, to the end that the same and every article and clause thereof, may be observed and fulfilled with good faith by the United States and the citizens thereof.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the City of Washington, this twenty-fourth day of [SEAL.] December, in the year of our Lord one thousand nine hundred and three, and of the Independence of the United States the one hundred and twenty-eighth.

THEODORE ROOSEVELT

By the President:

FRANCIS B. LOOMIS.

*Acting Secretary of State.*

O

## GREAT BRITAIN—EXTRATERRITORIAL RIGHTS IN ZANZIBAR.

## TREATY

BETWEEN

## THE UNITED STATES AND GREAT BRITAIN

BY WHICH

THE UNITED STATES RELINQUISHES EXTRATERRITORIAL  
RIGHTS IN ZANZIBAR.*Signed at Washington, February 25, 1905.**Ratification advised by the Senate, March 8, 1905.**Ratified by the President, May 12, 1905.**Ratified by Great Britain, April 3, 1905.**Ratifications exchanged at Washington, June 12, 1905.**Proclaimed, June 12, 1905.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

## A PROCLAMATION.

Whereas a Convention between the United States of America and His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India acting in the name of His Highness the Sultan of Zanzibar, by which the United States agrees to renounce in the British Protectorate of Zanzibar, and in that part of the mainland dominions of His Highness the Sultan of Zanzibar which lies within the Protectorate of British East Africa, its extraterritorial rights in favor of the British courts therein established, was concluded and signed by their respective Plenipotentiaries at Washington, on the twenty-fifth day of February, one thousand nine hundred and five, the original of which Convention is word for word as follows:

The United States of America and His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, acting in the name of His Highness the Sultan of Zanzibar, have, for the purposes hereinafter stated, appointed as their Plenipotentiaries, namely:

The President of the United States of America, the Honorable John Hay, Secretary of State of the United States of America; and

His Britannic Majesty, the Right Honorable Sir Henry Mortimer Durand, G. C. M. G., K. C. S. I., K. C. I. E., his Ambassador

Extraordinary and Plenipotentiary near the Government of the United States;

Who, after having communicated each to the other their respective full powers, found in good and due form, have agreed upon the following articles:

#### ARTICLE I.

The United States of America agrees to renounce in the British Protectorate of Zanzibar, and in that part of the mainland dominions of His Highness the Sultan of Zanzibar which lies within the Protectorate of British East Africa, the extraterritorial rights secured to it by the treaty of September 21, 1833, between the United States and the Sultan of Muscat, and the treaty of July 3, 1886, between the United States and Zanzibar.

The jurisdiction exercised thereunder by consular courts of the United States in the British Protectorate of Zanzibar and in that part of the mainland dominions of His Highness the Sultan of Zanzibar which is under British protection, and all the exceptional privileges, exemptions, and immunities enjoyed by citizens of the United States as a part of or appurtenant to such jurisdiction, shall absolutely cease and determine. It being understood, however, that this renunciation shall not take effect until such time as the rights of extraterritoriality enjoyed in Zanzibar by other nations shall have been likewise renounced.

#### ARTICLE II.

In consideration of this renunciation by the United States of America, the Government of His Britannic Majesty agrees to empower the competent British courts which have been established in the British Protectorate of Zanzibar and in that part of the mainland dominions of His Highness the Sultan of Zanzibar which is under British protection, to exercise jurisdiction over citizens of the United States the same as over British subjects and British protected persons, and that citizens of the United States shall have in and before said courts all the rights and privileges that belong and are accorded therein to British subjects and to British protected persons.

#### ARTICLE III.

The present Convention shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by His Britannic Majesty, and the ratifications shall be exchanged at Washington as soon as possible.

In faith whereof, we, the respective Plenipotentiaries, have signed this Convention and have hereunto affixed our seals.

Done in duplicate at the City of Washington this twenty-fifth day of February, in the year of our Lord one thousand nine hundred and five.

JOHN HAY [SEAL.]  
H M DURAND [SEAL.]

And whereas the said Convention has been duly ratified on both parts, and the ratifications of the two governments were exchanged in

the City of Washington, on the twelfth day of June, one thousand nine hundred and five;

Now, therefore, be it known that I, THEODORE ROOSEVELT, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the City of Washington, this twelfth day of June,  
[SEAL.] in the year of our Lord one thousand nine hundred and five,  
and of the Independence of the United States of America the  
one hundred and twenty-ninth.

THEODORE ROOSEVELT

By the President:

FRANCIS B. LOOMIS.

*Acting Secretary of State.*

O



DEPARTMENT OF STATE

DIVISION OF FOREIGN SERVICE ADMINISTRATION

*Mr. McChesney*

TD

I concur in the suggestion made in the attached memorandum prepared in TD that the Consul at Nairobi should be requested to furnish an expression of his views on the subject.

FA FM

STATE

SION

SECTION'S OFFICE  
JUN 16 1929  
DEPARTMENT OF STATE

June 14, 1929.

*request is unreasonable*

has asked this Government to  
ons in the treaty of 1833  
treaty applies to Zanzibar.  
ate that this Division, the  
Affairs and the Division of  
general, sympathetic to acced-  
British Government.

On subject, however, I shall

appreciate having your opinions. The attention of EA is particularly called to the last paragraph of the British note of January 31, 1929, which sets forth the reasons why Great Britain asks for the modifications referred to.

INDEX BUREAU

711.4802/14

711.4802

TD:WMC:BLC

AUG 20 1930

FILED

DEPARTMENT OF STATE  
TREATY DIVISION

STATE  
DIVISION

SECTION'S OFFICE  
JUN 16 1929  
DEPARTMENT OF STATE

June 14, 1929.

*the request is unreasonable*

7/17/29.

*PA.*

*WE*

*Please note this  
Division's Memorandum  
of June 14.*

It has asked this Government to  
TREATY DIVISION  
ions in the treaty of 1833  
at treaty applies 1822 Zanzibar.  
icate that this Division, the  
DEPARTMENT OF STATE  
an Affairs and the Division of  
n general, sympathetic to acced-  
British Government.

INDEX SERIAL

711.48 U2/14

On the subject, however, I shall  
appreciate having your opinions. The attention of EA is  
particularly called to the last paragraph of the British  
note of January 31, 1929, which sets forth the reasons  
why Great Britain asks for the modifications referred to.

711.48 U2

*W.C.*  
TD:W.C.:BLC

AUG 20 1930

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DEPARTMENT OF STATE

OFFICE OF THE ECONOMIC ADVISER

T.S.

With reference to the  
14<sup>th</sup> of Sir Curzon's note of  
January 31, I have no  
objection to granting  
the British proposal. The  
treaty is out of harmony  
with our present policy  
in respect of customs rates.

*P.T.*

OF STATE

DIVISION

SECTION'S OFFICE

JUN 16 1929

DEPARTMENT OF STATE

June 14, 1929.

*the request is unreasonable*

it has asked this Government to  
TREATY DIVISION  
modifications in the treaty of 1833

that treaty applies to Zanzibar.

to indicate that this Division, the

DEPARTMENT OF STATE  
Foreign Affairs and the Division of

in general, sympathetic to acced-

British Government.

On the subject, however, I shall

appreciate having your opinions. The attention of EA is  
particularly called to the last paragraph of the British  
note of January 31, 1929, which sets forth the reasons  
why Great Britain asks for the modifications referred to.

711.48 V2

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AUG 20 1930

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711.48 V2 / 14

DEPARTMENT OF STATE

SECTION'S OFFICE  
JUN 16 1929  
DEPARTMENT OF STATE

Office of Economic Advisor

JUL 1 1929

DEPARTMENT OF STATE

TREATY DIVISION

June 14, 1929.

*I do not think the request is unreasonable*  
*Perme no objection in*  
*See FA's memo*  
FA  
WE

The British Government has asked this Government to agree to certain modifications in the treaty of 1833 with Muscat, insofar as that treaty applies to Zanzibar. The attached memoranda indicate that this Division, the Division of Western European Affairs and the Division of Near Eastern Affairs are, in general, sympathetic to acceding to the desires of the British Government.

Before drafting on the subject, however, I shall appreciate having your opinions. The attention of EA is particularly called to the last paragraph of the British note of January 31, 1929, which sets forth the reasons why Great Britain asks for the modifications referred to.

711.48 V2

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AUG 20 1930

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711.48 V2/14



RECD

SOLICITOR'S OFFICE  
NOV 7 1929  
DEPARTMENT OF STATE

No. 599.

NOV 5 29 1929

His Britannic Majesty's Charge d'Affaires

presents his compliments to the Secretary of State and with reference to Mr. Stimson's note No. 711.48 V 2/12 of August 5th last and previous correspondence concerning the revision of the Treaty of 1833 between the United States and Muscat, has the honour to state that he has been instructed by His Majesty's Principal Secretary of State for Foreign Affairs to enquire whether he may shortly expect to be informed of the views of the United States Government in regard to the proposals put forward by His Majesty's Government in this connection.

JAN 29 1930

BRITISH EMBASSY,  
WASHINGTON, D.C.,

November 4th, 1929.

T.S.

The Secretary of State presents his compliments  
to the Charge d'Affaires ad interim of Great Britain  
and, with reference to the Embassy's note No. 599 of  
November 4, 1929, concerning the revision of the  
treaty of 1833 between the United States and Muscat  
in its application to the Zanzibar Protectorate, wishes  
to say that the matter is still receiving consideration  
by the authorities of this Government and that it is  
expected that the Department will shortly be in a  
position to communicate to the Embassy an expression  
of the views of this Government on the proposals  
of His Majesty's Government.

Department of State,  
Washington,

November 14, 1929

CR  
Nov. 12 1929 PM  
Nov. 13 1929

711.48V2/16

TD JTK DT SS

the signed  
line

WRCB.